ESTTA Tracking number:

ESTTA676095 06/03/2015

Filing date:

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD		
Proceeding	91213597	
Party	Defendant Tigercat International Inc.	
Correspondence Address	CANDACE LYNN BELL ECKERT SEAMANS CHERIN & MELLOTT LLC 50 S 16TH STREET, 22ND FLOOR PHILADELPHIA, PA 19102 2523 UNITED STATES cbell@eckertseamans.com, rjacobsmeadway@eckertseamans.com, lscollon@eckertseamans.com	
Submission	Other Motions/Papers	
Filer's Name	Candace Lynn Bell	
Filer's e-mail	cbell@eckertseamans.com, rjacobsmeadway@eckertseamans.com, afleisher@eckertseamans.com	
Signature	/Candace Lynn Bell/	
Date	06/03/2015	
Attachments	DECLARATION OF JOHN METZGER ISO MOTION FOR LEAVE TO ATTEND AND TAKE DEPOSITIONS (M1379297).pdf(214517 bytes) EXHIBIT A TO METZGER DECLARATION ISO MOTION TO TAKE DEPOSITIONS (M1378575).pdf(122788 bytes) EXHIBIT B TO METZGER DECLARATION ISO MOTION TO TAKE DEPOSITIONS (M1378577).pdf(125363 bytes) EXHIBIT C TO METZGER DECLARATION ISO MOTION TO TAKE DEPOSITIONS (M1378578).pdf(141532 bytes) EXHIBIT D TO METZGER DECLARATION ISO MOTION TO TAKE DEPOSITIONS (M1378579).pdf(469905 bytes) EXHIBIT D TO METZGER DECLARATION ISO MOTION TO TAKE DEPOSITIONS (M1378580).pdf(79072 bytes) EXHIBIT F TO METZGER DECLARATION ISO MOTION TO ATTEND AND TAKE DEPOSITIONS (M1379300).pdf(491141 bytes) EXHIBIT G TO METZGER DECLARATION ISO MOTION TO TAKE DEPOSITIONS (M1379281).pdf(1558191 bytes) EXHIBIT H TO METZGER DECLARATION ISO MOTION TO TAKE DEPOSITIONS (M1379282).pdf(1483988 bytes) EXHIBIT I TO METZGER DECLARATION ISO MOTION TO TAKE DEPOSITIONS (M1379283).pdf(16551236 bytes) EXHIBIT J TO METZGER DECLARATION ISO MOTION TO TAKE DEPOSITIONS (M1379284).pdf(1552448 bytes) EXHIBIT J TO METZGER DECLARATION ISO MOTION TO TAKE DEPOSITIONS (M1379284).pdf(152448 bytes) EXHIBIT L TO METZGER DECLARATION ISO MOTION TO TAKE DEPOSITIONS (M1379285).pdf(139557 bytes) EXHIBIT L TO METZGER DECLARATION ISO MOTION TO TAKE DEPOSITIONS (M1379286).pdf(136529 bytes) EXHIBIT N TO METZGER DECLARATION ISO MOTION TO TAKE DEPOSITIONS (M1379286).pdf(136529 bytes) EXHIBIT N TO METZGER DECLARATION ISO MOTION TO TAKE DEPOSITIONS (M1379288).pdf(271896 bytes) EXHIBIT N TO METZGER DECLARATION ISO MOTION TO TAKE DEPOSITIONS (M1379289).pdf(271896 bytes) EXHIBIT D TO METZGER DECLARATION ISO MOTION TO TAKE DEPOSITIONS (M1379289).pdf(271896 bytes) EXHIBIT D TO METZGER DECLARATION ISO MOTION TO TAKE DEPOSITIONS (M1379290).pdf(204089 bytes) EXHIBIT D TO METZGER DECLARATION ISO MOTION TO TAKE DEPOSITIONS (M1379290).pdf(204089 bytes) EXHIBIT D TO METZGER DECLARATION ISO MOTION TO TAKE DEPOSITIONS (M1379290).pdf(204089 bytes)	

ITIONS (M1379291).pdf(455071 bytes )
EXHIBIT R TO METZGER DECLARATION ISO MOTION TO ATTEND AND
TAKE DEPOSITIONS (M1379295).pdf(4166318 bytes)
EXHIBIT S TO METZGER DECLARATION ISO MOTION TO TAKE DEPOS-
ITIONS (M1379292).pdf(2687074 bytes )

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING TRANSMITTED ELECTRONICALLY TO THE COMMISSIONER FOR.

TRADEMARKS, INTTP://espha.uspro.dov/files/g-type.jsp

BY

DATE:

JUNE 3 2015

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

CATERPILLAR INC.,

Opposer,

v.

Opposition No. 91213597

TIGERCAT INTERNATIONAL INC.

Applicant.

## DECLARATION OF JOHN F. METZGER IN SUPPORT OF APPLICANT'S MOTION FOR LEAVE TO ATTEND AND TAKE DEPOSITIONS BY VIDEO CONFERENCE

- 1. I am a citizen of the United States, over 18 years old and a resident of Delaware County in the Commonwealth of Pennsylvania.
- 2. I am employed as a paralegal with Eckert Seamans Cherin & Mellott, LLC in Philadelphia, Pennsylvania.
- 3. I have worked as a paralegal since October of 1994 and was employed at Ballard Spahr Andrews & Ingersoll, LLP in Philadelphia, Pennsylvania from September 1997 until February 2008 when I joined the firm of Eckert Seamans Cherin & Mellott, LLC.
- 4. My duties include general, internet and legal research, litigation support, document review and analysis, document organization and control, and electronic discovery support among others.
- 5. As part of my duties as a paralegal, I maintain the pleadings and correspondence files in this opposition proceeding.

- 6. Attached as Exhibit A is a true and correct copy of Tigercat's Notice of Deposition for Kurt Tisdale dated August 26, 2015.
- 7. Attached as Exhibit B is a true and correct copy of Tigercat's Notice of Deposition for Ed Stembridge dated August 26, 2015.
- 8. Attached as Exhibit C is a true and correct copy of Tigercat's Notice of Deposition under F.R.C.P. 30(b)(6) directed to Caterpillar, Inc. dated August 25, 2015.
- 9. Attached as Exhibit D is a true and correct copy of an email and attachments sent from John Metzger to counsel for Opposer on April 17, 2015.
- 10. Attached as Exhibit E is a true and correct copy of an email sent by Laura Johnson, counsel for Opposer, to counsel for Applicant on April 23, 2015.
- 11. Attached as Exhibit F is a true and correct copy of a chain of emails between counsel for Opposer and counsel for Applicant during the time frame of May 18 through May 20, 2015 on the subject of witness availability for depositions.
- 12. Attached as Exhibit G is a true and correct copy of Applicant's subpoena to attend and testify and produce documents to Roy Chipley of Florence, South Carolina dated

  June 2, 2015.
- 13. Attached as Exhibit H is a true and correct copy of Applicant's subpoena to attend and testify and produce documents to Dave Foster of Henniker, New Hampshire dated June 2, 2015.
- 14. Attached as Exhibit I is a true and correct copy of Applicant's subpoena to attend and testify and produce documents to Terry Moren of Longview, Texas dated June 2, 2015.
- 15. I conducted a Google Maps search for driving directions between Columbia,
  South Carolina and Florence, South Carolina. The distance is 82.7 miles or a one-hour eighteen

minute drive. A true and correct copy of the printout of that search is attached hereto as Exhibit J.

- 16. I also conducted a Google Maps search for driving directions between Henniker, New Hampshire and Boston, Massachusetts. The distance is 81.2 miles or a one-hour twenty-two minute drive. A true and copy of the printout of that search is attached hereto as Exhibit K.
- 17. I conducted a third Google Maps search for driving directions between Shreveport, Louisiana and Longview, Texas. The distance is 65.1 miles or a one-hour five minute drive. A true and correct copy of the printout of that search is attached hereto as Exhibit L.
- 18. Attached as Exhibit M is a true and correct copy of an email sent by Christopher Foley, counsel for Opposer, to counsel for Applicant on May 28, 2015 at 12:15 pm.
- 19. Attached as Exhibit N is a true and correct copy of a letter sent from Candace Lynn Bell, counsel for Applicant, to Christopher P. Foley dated May 29, 2015.
- 20. Attached as Exhibit O is a true and correct copy of a letter sent by Christopher Foley to counsel for Applicant dated June 1, 2015.
- 21. Attached as Exhibit P are true and correct copies of Opposer's Notices of Deposition for Brian McHugh and James Berger dated May 12, 2015.
- 22. As part of my duties as a paralegal, I am often given the task of arranging court reporters and making hotel and travel accommodations for attorneys travelling to take or defend depositions. In regard to the depositions noticed by Tigercat in this matter, I was asked to compile information concerning flights, hotels and driving details for depositions planned in Henniker, New Hampshire, Peoria, Illinois, Florence, South Carolina and Longview, Texas for the representative date of July 7, 2015.

- 23. I conducted a search using Google Maps to determine the distance between major and regional airports and the location of the scheduled depositions of Roy Chipley, Dave Foster and Terry Moren. The results of that search show that it is a distance of 83.1 miles from Boston Logan International Airport to the location of the Centenniel Inn where the deposition would be held. From O'Hare International Airport to the court reporting agency in Peoria, Illinois, the distance is 167 miles, approximately a two-hour and thirty-five minute drive. From Charlotte Douglas International Airport to Florence, South Carolina, the distance is 117 miles or approximately a two-hour and twenty-eight minute drive. From Shreveport Regional Airport to Longview, Texas, the distance is just under 63 miles or approximately an hour and four minute drive. True and correct copies of printouts of these Google Maps searches are attached hereto as Exhibit Q.
- 24. Using Google Flights, I conducted searches for the date of July 7, 2015 for available outgoing and return trips between the airports of: Buffalo and Charlotte; Philadelphia International and Dallas; Philadelphia and Longview, Texas; Philadelphia and Peoria; Philadelphia and Shreveport, Louisiana; Buffalo and Manchester, New Hampshire; Buffalo and Peoria; and Buffalo and Florence, South Carolina. True and correct copies of the printouts from these flight availability searches are attached hereto as Exhibit R.
- 25. To determine the typical cost of hotel rooms for the proposed depositions, I searched the website of www.expedia.com. Attached as Exhibit S to this declaration are true and correct copies of the online searches for hotel rooms for Henniker, New Hampshire, Peoria, Illinois, Florence, South Caroline and Longview, Texas. The results from the expedia.com searches for hotel room for July 7, 2015 show that there are twenty-three (23) listed hotels in Henniker, New Hampshire with an average per night cost of \$130; for Peoria, there are fifty-one

- (51) listed hotels with an average per night cost of \$101; for Florence, there are seventy-seven (77) hotels with an average per night cost of \$93; and for Longview, there are eight-seven (87) hotels with an average per night cost of \$82.
- 26. Given the distances between the airports and the deposition locations, counsel would need to rent a car or arrange for a car service to reach the locations of the depositions.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 3 2015 in Philadelphia, PA

#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the attached Declaration of John F. Metzger in Support of Applicant's Motion for Leave to Attend and Take Deposition by Video Conference was served on counsel for the Opposer on the date listed below via electronic mail and a courtesy copy provided via U.S. Mail:

Christopher P. Foley
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.
901 New York Ave., N.W.
Washington, DC 20001-4413

Laura K. Johnson FINNEGAN, HENDERSON, FARABOW, GARETT & DUNNER, L.L.P. 2 Seaport Boulevard Boston, MA 02210

Dated: June 3, 2015

: Den

# **EXHIBIT A**

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

CATERPILLAR INC.,

OPPOSER,

V.

Opposition No. 91213597

TIGERCAT INTERNATIONAL INC.

APPLICANT.

### NOTICE OF DEPOSITION OF KURT TISDALE

To:

Christopher P. Foley

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

901 New York Ave., N.W. Washington, DC 20001-4413 Christopher.foley@finnegan.com

Laura K. Johnson
FINNEGAN, HENDERSON, FARABOW, GARETT & DUNNER, L.L.P.
2 Seaport Boulevard
Boston, MA 02210
Laura.johnson@finnegan.com

PLEASE TAKE NOTICE THAT on Wednesday, September 24, 2014, at 10:00 a.m. local time, Applicant Tigercat International Inc. ("Applicant") by undersigned counsel, will take the deposition upon oral examination of Mr. Kurt Tisdale of Opposer Caterpillar Inc. ("Opposer"). The deposition will take place at Advantage Reporting Service, 110 Southwest Jefferson Avenue, Janssen Building, Suite 430, Peoria, Illinois, 61602.

This deposition is for the purpose of discovery or as evidence, or both, and will be taken by stenographic means before an officer authorized to administer an oath in due form of law. The deposition will continue until completed.

Deponent is requested to bring with him to his deposition all documents, materials and things in his possession, that have not already been produced, relating to the fame or niche fame of one or more of Opposer's trademarks; the use of Opposer's marks on each of Opposer's goods and services as identified in each of the seventeen (17) registrations relied upon by Opposer in this proceeding; the advertising, promotion and sale of Opposer's goods and services under said marks; Opposer's annual sales of products bearing said marks from 1992 to present; Opposer's annual advertising expenditures for products bearing said marks from 1992 to present; search reports, consumer surveys, and market research relating to use of said marks in the U.S. from 1992 to present; third party use of the term "cat" in the U.S. and Opposer's business interactions with said third parties from 1992 to present; and confusion as to source, sponsorship or affiliation between Opposer and Applicant. You are invited to attend and participate in the examination.

Dated: August 26, 2014

By: /s/ Roberta Jacobs-Meadway
Roberta Jacobs-Meadway, Esq.
rjacobsmeadway@eckertseamans.com
Candace Lynn Bell, Esq.
cbell@eckertseamans.com
ECKERT SEAMANS CHERIN & MELLOTT, LLC
Two Liberty Place
50 S. 16<sup>th</sup> Street, 22<sup>nd</sup> Floor
Philadelphia, Pennsylvania 19102
(215) 851-8522

ATTORNEYS FOR APPLICANT

# **EXHIBIT B**

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

CATERPILLAR INC.,

OPPOSER,

V.

Opposition No. 91213597

TIGERCAT INTERNATIONAL INC.

APPLICANT.

### NOTICE OF DEPOSITION OF ED STEMBRIDGE

To:

Christopher P. Foley

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

901 New York Ave., N.W. Washington, DC 20001-4413 Christopher.foley@finnegan.com

Laura K. Johnson
FINNEGAN, HENDERSON, FARABOW, GARETT & DUNNER, L.L.P.
2 Seaport Boulevard
Boston, MA 02210
Laura.johnson@finnegan.com

PLEASE TAKE NOTICE THAT on Tuesday, September 23, 2014, at 1:00 p.m. local time, Applicant Tigercat International Inc. ("Applicant") by undersigned counsel, will take the deposition upon oral examination of Mr. Ed Stembridge, Product Identity Manager for Opposer Caterpillar Inc. ("Opposer"). The deposition will take place at Advantage Reporting Service, 110 Southwest Jefferson Avenue, Janssen Building, Suite 430, Peoria, Illinois, 61602.

This deposition is for the purpose of discovery or as evidence, or both, and will be taken by stenographic means before an officer authorized to administer an oath in due form of law. The deposition will continue until completed.

Deponent is requested to bring with him to his deposition all documents, materials and things in his possession, that have not already been produced, relating to the background and history of Opposer and the CAT trade name and trademark; the creation of all style guides for use of Opposer's marks; the use of Opposer's marks on each of Opposer's goods and services as identified in each of the seventeen (17) registrations relied upon by Opposer in this proceeding; the advertising, promotion and sale of Opposer's goods and services under said marks; Opposer's annual sales of products bearing said marks from 1992 to present; Opposer's annual advertising expenditures for products bearing said marks from 1992 to present; search reports, consumer surveys, and market research relating to use of said marks in the U.S. from 1992 to present; third party use of the term "cat" in the U.S. and Opposer's business interactions with said third parties from 1992 to present; and confusion as to source, sponsorship or affiliation between Opposer and Applicant. You are invited to attend and participate in the examination.

Dated: August 26, 2014

By: <u>/s/ Roberta Jacobs-Meadway</u>

Roberta Jacobs-Meadway, Esq. rjacobsmeadway@eckertseamans.com Candace Lynn Bell, Esq. cbell@eckertseamans.com
ECKERT SEAMANS CHERIN & MELLOTT, LLC
Two Liberty Place
50 S. 16<sup>th</sup> Street, 22<sup>nd</sup> Floor
Philadelphia, Pennsylvania 19102
(215) 851-8522

ATTORNEYS FOR APPLICANT

# EXHIBIT C

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

CATERPILLAR INC.,

OPPOSER,

V.

Opposition No. 91213597

TIGERCAT INTERNATIONAL INC.

APPLICANT.

## NOTICE OF 30(b)(6) DEPOSITION OF CATERPILLAR, INC.

To:

Christopher P. Foley

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

901 New York Ave., N.W. Washington, DC 20001-4413 Christopher.foley@finnegan.com

Laura K. Johnson

FINNEGAN, HENDERSON, FARABOW, GARETT & DUNNER, L.L.P.

2 Seaport Boulevard Boston, MA 02210

Laura.johnson@finnegan.com

PLEASE TAKE NOTICE THAT, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Applicant Tigercat International Inc. ("Applicant") by undersigned counsel, will take the deposition upon oral examination of the corporate representative(s) of Opposer Caterpillar Inc. ("Opposer"). The deposition will take place on Monday, September 22, 2014, at 10:00 a.m. local time, at Advantage Reporting Service, 110 Southwest Jefferson Avenue, Janssen Building, Suite 430, Peoria, Illinois, 61602.

This deposition is for the purpose of discovery or as evidence, or both, and will be taken by stenographic means before an officer authorized to administer an oath in due form of law.

The deposition will continue until completed.

Pursuant to Rule 30(b)(6), Opposer is required to designate one or more officers, directors, agents or other persons who consent to testify on its behalf with respect to the matters listed below. You are invited to attend and participate in the examination.

- 1. The development and use of Opposer's CATERPILLAR and CAT marks and names that are the subject of the seventeen (17) registrations identified in Opposer's Notice of Opposition, in connection with those goods and/or services identified in each registration (hereinafter, the "Marks").
- 2. Search reports, consumer surveys, and market research relating to use of Opposer's Marks in the U.S. from 1992 to present.
- 3. Trade channels for the products bearing Opposer's Marks in the U.S. from 1992 to present.
- 4. Marketing, advertising and promotion for the products bearing Opposer's Marks in the U.S. from 1992 to present.
  - 5. Opposer's targeted and actual customers in the U.S.
- 6. Opposer's annual sales of products bearing Opposer's Marks in the U.S. from 1992 to present.
- 7. Opposer's annual marketing and advertising expenditures for products bearing Opposer's Marks in the U.S. from 1992 to present.
  - 8. Opposer's knowledge of third party use of the term "cat".
  - 9. Opposer's business interactions with third party users of the term "cat".
  - 10. Opposer's knowledge of Applicant's marks and names.
  - 11. Evidence of any actual confusion as to source, sponsorship or affiliation.

Dated: August 25, 2014

By: /s/ Roberta Jacobs-Meadway

Roberta Jacobs-Meadway, Esq. rjacobsmeadway@eckertseamans.com Candace Lynn Bell, Esq. cbell@eckertseamans.com ECKERT SEAMANS CHERIN & MELLOTT, LLC Two Liberty Place 50 S. 16<sup>th</sup> Street, 22<sup>nd</sup> Floor Philadelphia, Pennsylvania 19102 (215) 851-8522

ATTORNEYS FOR APPLICANT

# **EXHIBIT D**

#### John Metzger

From:

John Metzger

Sent:

Friday, April 17, 2015 4:45 PM

To:

'christopher.foley@finnegan.com'; 'laura.johnson@finnegan.com'

Cc:

Candace Lynn Bell; Roberta Jacobs-Meadway

Subject:

Tigercat's Supplemental Initial Disclosures and Notices of Deposition for Caterpillar

witnesses

**Attachments:** 

DEPOSITION NOTICE FOR KURT TISDALE (M1360861).pdf; DEPOSITION NOTICE FOR ED

STEMBRIDGE (M1360859).pdf; NOTICE OF 30B6 DEPOSITION FOR CATERPILLAR, INC.

(M1360858).pdf; SUPPLEMENTAL INITIAL DISCLOSURES (M1360857).pdf

#### Good evening:

Please see the attached documents including Tigercat's Supplemental Initial Disclosures and Notices of Deposition for Caterpillar witnesses.

Thank you.

John F. Metzger Eckert Seamans Cherin & Mellott, LLC Two Liberty Place 50 S. 16<sup>th</sup> Street Philadelphia, PA 19102 (215) 851-6622

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

CATERPILLAR INC.,

OPPOSER,

V.

Opposition No. 91213597

TIGERCAT INTERNATIONAL INC.

APPLICANT.

## NOTICE OF DEPOSITION OF KURT TISDALE

To:

Christopher P. Foley

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

901 New York Ave., N.W. Washington, DC 20001-4413 Christopher.foley@finnegan.com

Laura K. Johnson
FINNEGAN, HENDERSON, FARABOW, GARETT & DUNNER, L.L.P.
2 Seaport Boulevard
Boston, MA 02210
Laura.johnson@finnegan.com

PLEASE TAKE NOTICE THAT on Friday, May 8, 2015, at 10:00 a.m. local time, Applicant Tigercat International Inc. ("Applicant") by undersigned counsel, will take the deposition upon oral examination of Mr. Kurt Tisdale of Opposer Caterpillar Inc. ("Opposer"). The deposition will take place at Advantage Reporting Service, 110 Southwest Jefferson Avenue, Janssen Building, Suite 430, Peoria, Illinois, 61602.

This deposition is for the purpose of discovery or as evidence, or both, and will be taken by stenographic means before an officer authorized to administer an oath in due form of law. The deposition will continue until completed.

You are invited to attend and participate in the examination.

Dated: April 17, 2015

By:

Roberta Jacobs-Meadway, Esq. rjacobsmeadway@eckertseamans.com Candace Lynn Bell, Esq. cbell@eckertseamans.com
ECKERT SEAMANS CHERIN & MELLOTT, LLC
Two Liberty Place
50 S. 16<sup>th</sup> Street, 22<sup>nd</sup> Floor
Philadelphia, Pennsylvania 19102
(215) 851-8522

ATTORNEYS FOR APPLICANT

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the attached Applicant's Notice of Kurt Tisdale was served on counsel for the Opposer on the date listed below via email and courtesy copy by U.S. Mail:

Christopher P. Foley, Esq. Finnegan, Henderson, Farabow, Garrett & Dunner L.L.P. 901 New York Avenue, N.W. Washington, DC 20001 christopher.foley@finnegan

Laura K. Johnson
FINNEGAN, HENDERSON, FARABOW,
GARETT & DUNNER, L.L.P.
2 Seaport Boulevard
Boston, MA 02210
Laura.johnson@finnegan.com

Dated: Apr. 17, 2015

Rw

John/F. Metzger

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

CATERPILLAR INC.,

OPPOSER,

V,

Opposition No. 91213597

TIGERCAT INTERNATIONAL INC.

APPLICANT.

### NOTICE OF DEPOSITION OF ED STEMBRIDGE

To:

Christopher P. Foley

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

901 New York Ave., N.W. Washington, DC 20001-4413 Christopher.foley@finnegan.com

Laura K. Johnson

FINNEGAN, HENDERSON, FARABOW, GARETT & DUNNER, L.L.P.

2 Seaport Boulevard Boston, MA 02210

Laura.johnson@finnegan.com

PLEASE TAKE NOTICE THAT on Thursday, May 7, 2015 at 10:00 a.m. local time, Applicant Tigercat International Inc. ("Applicant") by undersigned counsel, will take the deposition upon oral examination of Mr. Ed Stembridge, Product Identity Manager for Opposer Caterpillar Inc. ("Opposer"). The deposition will take place at Advantage Reporting Service, 110 Southwest Jefferson Avenue, Janssen Building, Suite 430, Peoria, Illinois, 61602.

This deposition is for the purpose of discovery or as evidence, or both, and will be taken by stenographic means before an officer authorized to administer an oath in due form of law. The deposition will continue until completed.

You are invited to attend and participate in the examination.

Dated: April 17, 2015

Ву:

Roberta Jacobs-Meadway, Esq. rjacobsmeadway@eckertseamans.com
Candace Lynn Bell, Esq. cbell@eckertseamans.com
ECKERT SEAMANS CHERIN & MELLOTT, LLC
Two Liberty Place
50 S. 16<sup>th</sup> Street, 22<sup>nd</sup> Floor
Philadelphia, Pennsylvania 19102
(215) 851-8522

ATTORNEYS FOR APPLICANT

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the attached Applicant's Notice of Ed Stembridge was served on counsel for the Opposer on the date listed below via email and courtesy copy by U.S. Mail:

Christopher P. Foley, Esq. Finnegan, Henderson, Farabow, Garrett & Dunner L.L.P. 901 New York Avenue, N.W. Washington, DC 20001 christopher.foley@finnegan

Laura K. Johnson
FINNEGAN, HENDERSON, FARABOW,
GARETT & DUNNER, L.L.P.
2 Seaport Boulevard
Boston, MA 02210
Laura.johnson@finnegan.com

Dated: Apr. 17 2015

Bv:

JøhnÆ. Metzger

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

CATERPILLAR INC.,

OPPOSER,

٧.

Opposition No. 91213597

TIGERCAT INTERNATIONAL INC.

APPLICANT.

### NOTICE OF 30(b)(6) DEPOSITION OF CATERPILLAR, INC.

To:

Christopher P. Foley

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

901 New York Ave., N.W. Washington, DC 20001-4413 Christopher.foley@finnegan.com

Laura K. Johnson

FINNEGAN, HENDERSON, FARABOW, GARETT & DUNNER, L.L.P.

2 Seaport Boulevard Boston, MA 02210

Laura.johnson@finnegan.com

PLEASE TAKE NOTICE THAT, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Applicant, Tigercat International Inc. ("Applicant"), by undersigned counsel, will take the deposition upon oral examination of the corporate representative(s) of Opposer Caterpillar Inc. ("Opposer"). The deposition will take place on Tuesday, May 5, 2015, at 10:00 a.m. local time, at Advantage Reporting Service, 110 Southwest Jefferson Avenue, Janssen Building, Suite 430, Peoria, Illinois, 61602.

This deposition is for the purpose of discovery or as evidence, or both, and will be taken by stenographic means before an officer authorized to administer an oath in due form of law.

The deposition will continue until completed.

Pursuant to Rule 30(b)(6), Opposer is required to designate one or more officers, directors, agents or other persons who consent to testify on its behalf with respect to the matters listed below. You are invited to attend and participate in the examination.

- 1. The use of Opposer's CATERPILLAR and CAT marks that are the subject of the seventeen (17) registrations identified in Opposer's Notice of Opposition, in connection with those goods and/or services identified in each registration (hereinafter, the "Opposer's Marks").
- 2. Search reports, consumer surveys, and market research relating to use of Opposer's Marks in the U.S.
  - 3. Trade channels for the products bearing Opposer's Marks in the U.S.
- 4. Marketing, advertising and promotion for the products bearing Opposer's Marks in the U.S.
- 5. Opposer's guidelines for joint marketing efforts for products and services bearing Opposer's Marks, as pled in the Notice of Opposition
  - 6. Opposer's usage guidelines for Opposer's Marks and name.
  - 7. Opposer's targeted and actual customers in the U.S.
- 8. Opposer's annual U.S. sales of products bearing Opposer's Marks and identified in its registrations pleaded in this proceeding by product for each of the last five years.
- 9. Opposer's knowledge of third party use of the term "cat" as a mark or name or a component of a mark or name.

- 10. Opposer's business and legal interactions with third party users of the term "cat" as a mark or name or a component of a mark or name.
- 11. Opposer's competitive activity monitoring and reporting with respect to Opposers' Goods and Services as identified in the seventeen (17) registrations identified in Opposer's Notice of Opposition.
  - 12. Opposer's knowledge of Applicant and Applicant's mark and name.
- 13. Opposer's knowledge of any actual confusion with Applicant and Applicant's mark and name.
- 14. Evidence of any actual confusion as to source, sponsorship or affiliation resulting from or attributable to use of "CAT" as a mark or name or component of a mark or name by any third party in the U.S.

Dated: April 17, 2015

The gold

By: \_\_\_\_\_

Roberta Jacobs-Meadway, Esq. rjacobsmeadway@eckertseamans.com

Candace Lynn Bell, Esq.

cbell@eckertseamans.com

ECKERT SEAMANS CHERIN & MELLOTT, LLC

Two Liberty Place

50 S. 16<sup>th</sup> Street, 22<sup>nd</sup> Floor

Philadelphia, Pennsylvania 19102

(215) 851-8522

ATTORNEYS FOR APPLICANT

#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the attached Applicant's Notice of 30(b)(6) Deposition of Caterpillar, Inc. was served on counsel for the Opposer on the date listed below via email and courtesy copy by U.S. Mail:

Christopher P. Foley, Esq.
Finnegan, Henderson, Farabow,
Garrett & Dunner L.L.P.
901 New York Avenue, N.W.
Washington, DC 20001
christopher.foley@finnegan

Laura K. Johnson
FINNEGAN, HENDERSON, FARABOW,
GARETT & DUNNER, L.L.P.
2 Seaport Boulevard
Boston, MA 02210
Laura.johnson@finnegan.com

Dated: Apr. 17, 2015

By:

John F. Metzger

# EXHIBIT E

## Deposition scheduling

#### Johnson, Laura < Laura. Johnson@finnegan.com>

Thu 4/23/2015 12:30 PM

To:Candace Lynn Bell < CBell@eckertseamans.com>; Roberta Jacobs-Meadway < RJacobsMeadway@eckertseamans.com>;

CcFoley, Christopher <christopher.foley@finnegan.com>; Reilly, Jenny <Jenny.Reilly@finnegan.com>; John Metzger <JMetzger@eckertseamans.com>;

#### Candace and Roberta,

We would like to schedule a call to discuss dates for the noticed Caterpillar depositions. The noticed dates will not work for Caterpillar.

Also, we plan on issuing deposition notices on Mr. McHugh, Mr. Berger, and a Tigercat 30(b)(6) witness. The depositions of Mr. McHugh and Mr. Berger will be by telephone. It would be productive to discuss available dates for these witnesses before we issue these notices.

Please let us know your availability today or tomorrow.

Thanks, Laura

#### Laura K. Johnson

Attorney at Law
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP
Two Seaport Lane, 6th Floor
Boston, MA 02210-2001
617.646.1645 | fax: 617.646.1666 | laura\_johnson@finnegan.com
www.finnegan.com

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# EXHIBIT F

#### John Metzger

From:

Johnson, Laura < Laura. Johnson@finnegan.com>

Sent:

Wednesday, May 20, 2015 4:25 PM

To:

Candace Lynn Bell

Cc:

Roberta Jacobs-Meadway; John Metzger; Foley, Christopher; Kilaru, Naresh; Reilly, Jenny

Subject:

**RE: Deposition Dates** 

Attachments:

Deposition Notice of Gerald Smeak.pdf; Deposition Notice of Wayne Cale.pdf; Peer

Bearing Co v Roller Bearing Co of Am Inc.rtf

#### Candace,

Out of an abundance of caution the parties should proceed with scheduling the expert and fact witnesses on or before June 12, 2015. We have a call into the Board seeking verification of the deadline, in view of the suspension order, and will provide an update once available.

#### **Deposition Scheduling**

Caterpillar currently intends to offer Ms. Lantz Rickard to cover Topic No. 2; however it reserves its rights to ask Ms. Lantz Rickard to cover additional topics.

Mr. Stembridge is not available on June 10th, only the 11th and 12th. This is not a date change on Mr. Stembridge's part. I mistranscribed the available dates in my earlier email.

We will reach out to Caterpillar's experts regarding their availability the week of June 8. We will not consent to video conferencing of these witnesses.

Please provide us with an update on dates for Berger and McHugh.

Finally, please see attached the Notices of Deposition of Wayne Cole and Jerry Smeak. These depositions are noticed for June 10th and 11th. We are prepared to triple track these depositions, if necessary. Please let us know if you will be able to discuss the availability of these witnesses tomorrow.

#### Tigercat 30(b)(6)

Caterpillar has yet to reach a decision regarding the Tigercat 30(b)(6) deposition, but the *Rosencruist* is hardly aberrational. The *Peer Bearing Co. v. Roller Bearing Co. of Am, Inc.* case (attached) evidences a Third Circuit court's affirmation of Caterpillar's interpretation of the *Rosencruist* case.

Caterpillar does not want to get into a discovery battle with Tigercat over its 30(b)(6) witness(es). It proposed an oral deposition to avoid the arduous and time consuming procedure of a deposition by written questions. Caterpillar could issue a subpoena requiring your client to travel to Pennsylvania for a deposition. Instead, it provided a convenient location only an hour away from your client's offices. In view of the *Peer Bearing* case, we ask that Tigercat reconsider its refusal.

We look forward to your prompt response.

Thanks, Laura

Laura K. Johnson

Attorney at Law Finnegan, Henderson, Farabow, Garrett & Dunner, LLP Two Seaport Lane, 6th Floor Boston, MA 02210-2001

617.646.1645 | fax: 617.646.1666 | laura.johnson@finnegan.com

www.finnegan.com

From: Candace Lynn Bell [mailto:CBell@eckertseamans.com]

**Sent:** Wednesday, May 20, 2015 8:51 AM

To: Johnson, Laura

Cc: Roberta Jacobs-Meadway; John Metzger; Foley, Christopher; Kilaru, Naresh; Reilly, Jenny

Subject: RE: Deposition Dates

Dear Laura

Please advise which topic will Ms. Lantz Rickard be covering.

Please confirm she will be available for as long as necessary until she is done on June 4. We would not anticipate the deposition requiring more than seven (7) hours.

We can take Mr. Stembridge's deposition on June 10 and 11 as in your original e-mail.

We cannot do the deposition on June 12.

Please confirm he will be available on June 10 and June 11, and we will endeavor to get the deposition done in one day on June 10.

Given your unwillingness to agree to take depositions out of time, we will be deposing the three individuals Caterpillar offered as experts the week of June 8. Please let us know on what days each of the individuals are available for deposition. This will result in double tracking of depositions.

Will you consent to video conferencing depositions of these witnesses that week?

We disagree that the Board decisions included in our e-mail on the 30(b)(6) deposition are inapplicable to this Board proceeding. We view *Rosencruist* as an aberrational case. It is not a Third Circuit case in any event and has no precedential effect. We remain open to a discussion regarding timing of the deposition on written questions of Tigercat.

Regards,
Candace
Candace Lynn Bell, Esq. | Member
ECKERT SEAMANS CHERIN & MELLOTT, LLC
10 Bank Street • Suite 700 • White Plains, NY 10606
Direct (914) 286.6431 | Mobile (716) 835.0240
cbell@eckertseamans.com
eckertseamans.com | bio | vCard

From: Johnson, Laura < Laura. Johnson@finnegan.com >

Sent: Tuesday, May 19, 2015 6:44 PM

To: Candace Lynn Bell

Cc: Roberta Jacobs-Meadway; John Metzger; Foley, Christopher; Kilaru, Naresh; Reilly, Jenny

Subject: RE: Deposition Dates

#### Candace.

Ms. Lantz Rickard will be covering one deposition topic and is only available on June 4th.

My email incorrectly identified the dates for Mr. Stembridge. He is available for deposition on June 11 and 12 in Peoria. Please confirm that these dates are acceptable.

We do not agree to grant an extension of the deposition deadline apart from the discovery deadline. If Tigercat refuses to an extension, we will proceed with closing expert rebuttals and discovery on June 12, 2015. Please ensure that all of Tigercat's fact and expert witnesses will be available during the discovery period.

Your 30(b)(6) case law is inapplicable as it interprets TTAB law and procedures, not federal law. The *Rosenruist* case addresses and rejects the very arguments you raise.

Caterpillar will provide you with an update on the format of the Tigercat 30(b)(6) deposition once a decision is made. If Caterpillar elects to proceed via written questions, the parties will need to discuss the response timing given the impending discovery deadline.

Thanks, Laura

#### Laura K. Johnson

Attorney at Law
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP
Two Seaport Lane, 6th Floor
Boston, MA 02210-2001
617.646.1645 | fax: 617.646.1666 | laura.johnson@finnegan.com
www.finnegan.com

From: Candace Lynn Bell [mailto:CBell@eckertseamans.com]

**Sent:** Tuesday, May 19, 2015 4:15 PM

To: Johnson, Laura

Cc: Roberta Jacobs-Meadway; John Metzger; Foley, Christopher; Kilaru, Naresh; Reilly, Jenny

Subject: RE: Deposition Dates

#### Dear Laura

We disagree with your characterization of the discussion regarding Caterpillar's witnesses and timing. We expected to take all depositions in Peoria during one week, as discussed. I only asked you to check on alternate availability.

Since we have dates, we will take the deposition of Mr. Tisdale on June 2nd, Ms. Lantz Rickard on June 4th and Mr. Stembridge on June 10th continuing if necessary until through June 11. Ms. Lantz Rickard may need to be continued through June 5th, as we do not know yet which topics she will be covering.

Please provide us with the list of topics for both 30(b)(6) witnesses no later than May 27th and please confirm that Ms. Lantz Rickard will be available on June 5th.

Tigercat does not consent to a sixty day extension of expert rebuttal and discovery deadlines. Tigercat will consent to depositions being taken out of time through and including June 26th. Tigercat will be noticing

depositions for Caterpillar's three witnesses named by it as experts for dates the week of June 16th and June 23rd, if you consent to depositions out of time.

I will have proposed dates for Berger and McHugh no later than close of business tomorrow.

Regarding the 30(b)(6) notice for Tigercat, pursuant to 37 C.F.R. 2.120(c)(1), "The discovery deposition of a natural person residing in a foreign country who is a party, or who at the time set for taking the deposition, is an officer, director, or managing agent of a party, or a person designated under Rule 30(b)(6) . . . shall, if taken in a foreign country, be taken in the manner prescribed by 2.124 . . . " Rule 2.124 requires such deposition on written questions. See e.g. Jain v. Ramparts Inc. 49 U.S.P.Q.2d 1429, 1431 (TTAB 1998); White Wave Services, Inc. v. LBI Brands, Inc., Opposition No. 91179526 (August 13, 2008); Oxford Tutoring Inc. v. Oxford Learning Centres, Inc. Cancellation No. 92048444, (October 4, 2010). Please confirm you will withdraw the notice of deposition or proceed with written questions in writing by close of business Thursday, May 21, 2015.

We will await your reply.

Regards,
Candace
Candace Lynn Bell, Esq. | Member
ECKERT SEAMANS CHERIN & MELLOTT, LLC
10 Bank Street • Suite 700 • White Plains, NY 10606
Direct (914) 286.6431 | Mobile (716) 835.0240
cbell@eckertseamans.com
eckertseamans.com | bio | vCard

From: Johnson, Laura < Laura. Johnson@finnegan.com >

Sent: Monday, May 18, 2015 8:08 PM

To: Candace Lynn Bell

Cc: Roberta Jacobs-Meadway; John Metzger; Foley, Christopher; Kilaru, Naresh; Reilly, Jenny

Subject: RE: Deposition Dates

### Candace,

During our call last week, you requested that Caterpillar's witnesses be made available the second or third weeks of June. Mr. Stembridge has rearranged his schedule to accommodate this request. Based on previously discussed vacation and travel arrangements, Mr. Tisdale and Ms. Lantz Rickard are unavailable those weeks.

Accordingly, Caterpillar will make Mr. Tisdale available on June 2nd, Ms. Lantz Rickard available on June 4th, and Mr. Stembridge available on June 10th and if necessary continuing into the 11th. Ms. Lantz Rickard and Mr. Stembridge will be Caterpillar's 30(b)(6) witnesses. We will let you know which witness will be covering which topics closer to the deposition dates.

We disagree with your position regarding Tigercat's 30(b)(6) deposition and will be in touch regarding our plans for the deposition.

We look forward to an update regarding the availability of Mr. Berger and Mr. McHugh.

Finally, the scheduling of expert and fact depositions appears to be going into late June, at a minimum. To enable the parties sufficient time to take depositions, submit expert rebuttals, and address any outstanding discovery issues, please let us know whether Tigercat will agreed to a sixty-day extension of the expert rebuttal and discovery deadlines. Based

on our calculations, this would move both deadlines to August 11, 2015. If so, we will prepare the necessary stipulation for the Board.

We look forward to your response.

Laura

Laura K. Johnson

Attorney at Law
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP
Two Seaport Lane, 6th Floor
Boston, MA 02210-2001
617.646.1645 | fax: 617.646.1666 | laura.johnson@finnegan.com
www.finnegan.com

From: Candace Lynn Bell [mailto:CBell@eckertseamans.com]

**Sent:** Monday, May 18, 2015 10:55 AM **To:** Foley, Christopher; Johnson, Laura **Cc:** Roberta Jacobs-Meadway; John Metzger

**Subject:** Deposition Dates

Dear Chris

Please confirm the deposition dates for Caterpillar's 30(b)(6) witnesses, and Mr. Tisdale.

When last we spoke, you had stated depositions beginning on June 2 and continuing through the remainder of that week would work for those witnesses.

Given this morning's call, I have rearranged my schedule again to make those dates work for me as well.

I am also checking on dates for Mr. Berger and Mr. McHugh.

May 20 will not work for Mr. Berger's deposition.

With regard to Caterpillar's 30(b)(6) deposition for Tigercat, we have reviewed the case provided by Laura Johnson. We still disagree that Caterpillar may proceed with an oral discovery deposition in Philadelphia of a foreign entity or Canadian citizen resident in Canada. Please provide written questions for Tigercat's 30(b)(6) witnesses pursuant to 37 CFR 2.124.

Regards, Candace

Candace Lynn Bell, Esq. | Member ECKERT SEAMANS CHERIN & MELLOTT, LLC 10 Bank Street • Suite 700 • White Plains, NY 10606 Direct (914) 286.6431 | Mobile (716) 835.0240 cbell@eckertseamans.com eckertseamans.com | bio | vCard

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# EXHIBIT G

## UNITED STATES DISTRICT COURT

for the

District of South Carolin

	CATERPILLAR INC.	_ )	
	Plaintiff	, )	
	v.	) Civil Action No.	TTAB Opposition No. 91213597
TIGE	RCAT INTERNATIONAL INC.	)	
	Defendant	)	
	SUBPOENA TO TESTIFY AT	A DEPOSITION IN A CIV	IL ACTION
Го:	Mr. Roy Chipley, President and 0	Owner of Chipley Co. of Flore	nce, South Carolina
	(Name of persor	n to whom this subpoena is directed)	
r managing ag hose set forth in he deposition	ony: YOU ARE COMMANDED to ap the taken in this civil action. If you are an gents, or designate other persons who con in an attachment: will be conducted in person or by telephol and Appeal Board.	organization, you must designsent to testify on your behalf	nate one or more officers, directors about the following matters, or
Place:		Date and Time:	
Q&A C	Court Reporting, 273 W. Evans St., nce, South Carolina		7/09/2015 10:00 am
Q&A C Floren The de	nce, South Carolina	: stenographic means	
Q&A C Floren The de	eposition will be recorded by this method ection: You, or your representatives, mus nically stored information, or objects, an	stenographic means  t also bring with you to the de	eposition the following documents
Q&A C Floren  The de  Produce electron materia  The folkule 45(d), rela	eposition will be recorded by this method ection: You, or your representatives, mus nically stored information, or objects, and:	stenographic means  t also bring with you to the dead must permit inspection, cop  are attached – Rule 45(c), relact to a subpoena; and Rule 45	eposition the following documents, ying, testing, or sampling of the
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The folkule 45(d), relates point to this Date: 06/02	position will be recorded by this method etion: You, or your representatives, mus nically stored information, or objects, an al:  See attached rider.  See attached rider.  See attached rider.  CLERK OF COURT  Signature of Clerk or Deputers, and telephone numbers.	stenographic means  t also bring with you to the dead must permit inspection, coperate are attached – Rule 45(c), related to a subpoena; and Rule 45 as of not doing so.  OR  OR  OR  OR  OR  OR  OR  OR  OR  O	eposition the following documents, bying, testing, or sampling of the string to the place of compliance; si(e) and (g), relating to your duty to Attorney's signature

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. TTAB Opposition No. 91213597

## PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

on (date)	opoena for (name of individual and title, if ar	<i></i>		
☐ I served the su	bpoena by delivering a copy to the nar	ned individual as follow	/s:	
		on (date)	; or	
☐ I returned the	subpoena unexecuted because:			
tendered to the w	ena was issued on behalf of the United itness the fees for one day's attendance.			
My fees are \$	for travel and \$	for services, f	or a total of \$	0.00
I declare under pe	enalty of perjury that this information i	s true.		
Date:		14.78.2.14		
		Server's signo	iture	
		Printed name ar	nd title	
		Server's add	ress	

Additional information regarding attempted service, etc.:

## Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

#### (c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.
- (2) For Other Discovery. A subpoena may command:
- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
  - (B) inspection of premises at the premises to be inspected.

#### (d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

#### (2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

#### (3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
  - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
  - (iv) subjects a person to undue burden.
- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or
- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
  - (ii) ensures that the subpoenaed person will be reasonably compensated.

#### (e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- (D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

#### (2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
  - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

## (g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

## RIDER TO SUBPOENA DUCES TECUM - ROY CHIPLEY

## **Definitions**

- 1. The term "Applicant," as used herein, shall mean Tigercat International Inc.
- 2. The term "Opposer," as used herein, shall mean Caterpillar Inc.
- 3. "You" or "your" shall mean Roy Chipley, Chipley Company of Florence South Carolina, Chipley Company, Inc., and Chipley Paving Co., Inc.
- 4. The term "Case" shall refer to Caterpillar Inc. v. Tigercat International Inc., Opposition No. 91213597, pending at the Trademark Trial and Appeal Board of the United States Patent and Trademark Office.
- 5. The term "Report" as used herein, shall mean your report dated April 10, 2015, attached hereto as Exhibit A.
- 6. The term "Opposer's Goods and Services" as used herein, shall mean the goods and services listed in the registrations relied upon by Opposer in this Case, and attached hereto as Exhibit B.

## Instructions

This request is being made for all documents and/or other tangible things (including but not limited to documents, materials, data or other information relied upon by you in forming the opinions set forth in your Report in this Case). To the extent that documents or tangible things are in your possession or control for which you claim attorney/client privilege or attorney work product, produce a privilege log that describes each document or tangible thing that sets forth the following: (1) date of document or tangible thing; (2) description; (3) identity of the author; (4) the person(s) to whom the document or tangible thing is addressed or copied; and (5) privilege under which you claim the document or tangible thing is protected from disclosure.

Kindly produce the following:

- 1. All documents and tangible things relied upon by you as support for each opinion in your Report.
- 2. All documents and tangible things reviewed by you to prepare for your deposition in this Case.
- 3. A comprehensive list of all depositions and trial testimony given by you during the last four years, including any court identifiers and names of opposing counsel.

- 4. All publications authored by you or in conjunction with others, in the last ten years, concerning "heavy machinery", "machinery" or "machine(s)", as you use those terms in Paragraphs 2, 3, 4, and 5 of your Report.
- 5. All publications authored by you or in conjunction with others, in the last ten years, concerning "forestry products" or forestry "machines" or "equipment", as you use those terms in Paragraphs 4 and 5 of your Report.
- 6. All publications authored by you or in conjunction with others, in the last ten years, concerning "branded heavy machinery" or "branded machinery", as you use those terms in Paragraph 3 of your Report.
- 7. All publications authored by you or in conjunction with others, in the last ten years, concerning "CAT-branded heavy machinery", "CAT-branded machinery", "CAT name", or "CAT machines", as you use those terms in Paragraph 3 of your Report.
- 8. All publications authored by you or in conjunction with others, in the last ten years, concerning purchasers or users of "branded heavy machinery" or "branded machinery" and their perception of "brands" or "names", as you use those terms in Paragraphs 3 and 5 of your Report.
- 9. All publications authored by you or in conjunction with others, in the last ten years, concerning the marketing or promotion of "branded heavy machinery", "branded machinery" or "named machines", as you use those terms in Paragraphs 3 and 5 of your Report, for example "CAT machines" or "Tigercat name".
- 10. A comprehensive list of all interviews, lectures, speeches, appearances or presentations you have given, in the last ten years, referring or relating to "heavy machinery", "machinery" or "machine(s)", as you use those terms in Paragraphs 2, 3, 4, and 5 of your Report, and the related documents and tangible things, including but not limited to the interview transcripts, lecture notes, speech notes, or any recordings of the same.
- 11. A comprehensive list of all interviews, lectures, speeches, appearances or presentations you have given, in the last ten years, referring or relating to "forestry products" or forestry "machines" or "equipment", as you use those terms in Paragraphs 4 and 5 of your Report, and the related documents and tangible things, including but not limited to the interview transcripts, lecture notes, speech notes, or any recordings of the same.
- 12. A comprehensive list of all interviews, lectures, speeches, appearances or presentations you have given, in the last ten years, referring or relating to "branded heavy machinery" or "branded machinery", as you use those terms in Paragraph 3 of your Report and the related documents and tangible things, including but not limited to the interview transcripts, lecture notes, speech notes, or any recordings of the same.

- 13. A comprehensive list of all interviews, lectures, speeches, appearances or presentations you have given, in the last ten years, referring or relating to "CAT-branded heavy machinery", "CAT-branded machinery", "CAT name", or "CAT machines" and the related documents and tangible things, including but not limited to the interview transcripts, lecture notes, speech notes, or any recordings of the same.
- 14. A comprehensive list of all interviews, lectures, speeches, appearances or presentations you have given, in the last ten years, referring or relating to purchasers or users of "branded heavy machinery" or "branded machinery" and their perception of "brands" or "names", as you use those terms in Paragraphs 3 and 5 of your Report and the related documents and tangible things, including but not limited to the interview transcripts, lecture notes, speech notes, or any recordings of the same.
- 15. A comprehensive list of all interviews, lectures, speeches, appearances or presentations you have given, in the last ten years, referring or relating to the marketing or promotion of "branded heavy machinery", "branded machinery" or "named machines", as you use those terms in Paragraphs 3 and 5 of your Report, for example "CAT machines" or "Tigercat name" and the related documents and tangible things, including but not limited to the interview transcripts, lecture notes, speech notes, or any recordings of the same.
- Documents sufficient to identify any research regarding or relating to "heavy machinery", "machinery" or "machine(s)", as you use those terms in Paragraphs 2, 3, 4, and 5 of your Report which you have performed or caused to be performed in the last ten years.
- 17. Documents sufficient to identify any research you have performed or caused to be performed in the last ten years in connection with "forestry products" or forestry "machines" or "equipment", as you use those terms in Paragraphs 4 and 5 of your Report.
- 18. Documents sufficient to identify any research you have performed or caused to be performed in the last ten years in connection with "branded heavy machinery" or "branded machinery", as you use those terms in Paragraph 3 of your Report.
- 19. Documents sufficient to identify any research you have performed or caused to be performed in the last ten years in connection with "CAT-branded heavy machinery", "CAT-branded machinery", "CAT name" or "CAT machines", as you use those terms in Paragraph 3 of your Report.
- 20. Documents sufficient to identify any research you have performed or caused to be performed in the last ten years in connection with purchasers or users of "branded heavy machinery" or "branded machinery" and their recognition or perception of "brands" or "names", as you use those terms in Paragraphs 3 and 5 of your Report.
- 21. Documents sufficient to identify any research you have performed or caused to be performed in the last ten years in connection with the marketing or promotion of "branded heavy machinery", "branded machinery" or "named machines", as you use

- those terms in Paragraphs 3 and 5 of your Report, for example "CAT machines" or "Tigercat name".
- 22. Documents sufficient to show the inventory of "CAT machines" owned, leased or operated by you or your company or at your request or direction, during the last ten years, as described in Paragraph 3 of your Report.
- 23. Documents sufficient to show the inventory of machines, not manufactured by Caterpillar, owned, leased or operated by you or your company or at your request or direction, during the last ten years.
- 24. Documents sufficient to show the catalogues or other product literature that you have used, reviewed or retained during the last ten years that refer or relate to "CAT-branded heavy machinery", as described in Paragraph 3 of your Report.
- 25. Documents sufficient to show the catalogues or other product literature that you have used, reviewed or retained during the last ten years that refer or relate to heavy machinery manufactured by Tigercat or sold under the TIGERCAT mark or name, as you use those terms in Paragraph 5 of your Report.
- 26. Documents sufficient to show the catalogues or other product literature that you have used, reviewed or retained during the last ten years that refer or relate to heavy machinery not manufactured by Tigercat or Caterpillar.
- 27. Documents sufficient to show the terms of purchase, lease or operation for the "CAT machines" owned, leased or operated by you, for the last ten years, as described in Paragraph 3 of your Report.
- 28. Documents sufficient to show the terms of purchase, lease or operation for the machines, not manufactured by Caterpillar, owned, leased or operated by you for the last ten years.
- 29. Documents sufficient to show your "long personal relationship" with Opposer, which you describe in a video accessible from your website listing you as a "CAT customer for 13 years".
- 30. Documents sufficient to show the terms of any agreement between you and Opposer regarding or relating to your promotion of Opposer's Goods and Services.
- 31. Documents sufficient to show the terms of any agreement between you and Opposer regarding or relating to promotion of you or your products or services and Opposer and Opposer's Goods and Services.
- Documents sufficient to show the inventory of machines, not manufactured by Caterpillar, owned, leased or operated by you for the last ten years that are yellow.

- 33. Documents sufficient to show the cost of the CATERPILLAR promotional video which is accessible from your website which uses the mark "BUILT FOR IT" and bears a Caterpillar copyright.
- 34. Documents sufficient to show what Caterpillar paid you or you paid Caterpillar for the CATERPILLAR promotional video which is accessible from your website which uses the mark "BUILT FOR IT" and bears a Caterpillar copyright.
- 35. Documents sufficient to show your "relationship with your local dealer for Opposer" which you describe in a video accessible from your website listing you as a "CAT customer for 13 years".
- 36. Documents sufficient to show the terms of any agreement between you and your local dealer for Opposer regarding or relating to your promotion of Opposer's Goods and Services.
- 37. Documents sufficient to show the terms of any agreement between you and your local dealer for Opposer regarding or relating to your promotion of your local dealer of Opposer, your local dealer's products or your local dealer's services.
- 38. Documents sufficient to show the terms of any agreement between you and your local dealer for Opposer regarding or relating to promotion of you or your products or services and Opposer and Opposer's Goods and Services.
- 39. Documents sufficient to show the terms of any agreement between you and your local dealer for Opposer regarding or relating to promotion of you or your products or services and your local dealer for Opposer and your local dealer for Opposer's products and services.
- 40. Documents sufficient to show your relationship with Blanchard Machinery Company ("Blanchard"), a Caterpillar dealer in South Carolina that is described on your website.
- 41. Documents sufficient to show the terms of any agreement between you and Blanchard regarding or relating to your promotion of Opposer's Goods and Services.
- 42. Documents sufficient to show the terms of any agreement between you and Blanchard regarding or relating to your promotion of Blanchard's products or services.
- 43. Documents sufficient to show the terms of any agreement between you and Blanchard regarding or relating to promotion of you or your products or services and Opposer and Opposer's Goods and Services.
- 44. Documents sufficient to show the terms of any agreement between you and Blanchard regarding or relating to promotion of you or your products or services and Blanchard and Blanchard's products and services.

- 45. Documents sufficient to show the nature and extent of your familiarity with "Tigercat and their equipment", as you use those terms in Paragraph 4 of your Report.
- 46. Documents sufficient to show or otherwise identify all of the "Tigercat equipment" of which you are aware as you use those terms in Paragraph 4 of your Report and the purposes, functions or applications for which such "Tigercat equipment" is or may be used.
- 47. Documents sufficient to show or otherwise identify the nature and extent of your familiarity with "Tigercat and its machines", as you use those terms in Paragraph 5 of your Report.
- 48. Documents sufficient to show or otherwise identify the "Tigercat machines" of which you are aware and the purposes, functions or applications for which such "Tigercat machines" are or may be used.
- 49. Documents sufficient to show the terms of purchase, lease or operation for any "Tigercat equipment or machines" owned, leased or operated by you, as you describe such machines in Paragraphs 4 and 5 of your Report.
- 50. Documents and tangible things sufficient to show the projects on which you have worked where forestry products were used, as you describe such projects in Paragraph 4 of your Report.
- 51. All documents and tangible things that you reviewed or relied upon as the basis for your statement regarding the asserted "wide recognition of the CAT name for machines used in many fields", as set forth in Paragraph 5 of your Report.
- 52. A comprehensive list of courses, classes, seminars or other educational programs you have taken in marketing and marketing research, and documents identifying the scope of the courses, classes, seminars or other educational programs you have taken in marketing and market research.
- 53. Documents sufficient to show the machinery or equipment bearing the name or mark "BOBCAT" of which you are aware.
- 54. Documents sufficient to show the machinery or equipment bearing the name or mark "ARCTIC CAT" of which you are aware.
- 55. Documents sufficient to show the machinery or equipment bearing the name or mark "ECHO BEAR CAT" or "BEAR CAT" of which you are aware.
- 56. Documents sufficient to show the machinery or equipment bearing the name or mark "TIGER TRAIL CAT" or "TRAIL CAT" of which you are aware.

- 57. Documents sufficient to identify any research which you have performed or caused to be performed in the last five years regarding or relating to the use, purpose, function, application or versatility of "CAT machines", as you use those terms in Paragraph 3 of your Report.
- Documents sufficient to identify any research which you have performed or caused to be performed in the last five years regarding or relating to the use, purpose, function, application or versatility of machines not manufactured by Caterpillar which have similar use, purpose, function, application or versatility to the "CAT machines", as you use those terms in Paragraph 3 of your Report.
- 59. Documents sufficient to show any heavy machinery customer research of which you are aware, other than customer satisfaction surveys.
- 60. Documents sufficient to show the warranties for the "CAT-branded heavy machinery" which you use in your business.
- Documents sufficient to show the warranty claims you have made in the last five years in connection with "CAT-branded machinery".

# EXHIBIT A

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

CATERPILLAR INC.,

Opposer,

٧.

TIGERCAT INTERNATIONAL INC.,

Applicant.

Opposition No. 91213597

Mark: TIGERCAT

Application Serial No. 85/814,584

Filing Date: January 3, 2013

## EXPERT REPORT OF ROY CHIPLEY

- 1. I am the owner of Chipley Company of Florence, South Carolina, a company founded by my father in 1960. Chipley Company specializes in industrial, commercial, private and residential construction. Our services include site clearing, grading and excavation, storm drainage, piping and sewer system installation, repair and installation of fire systems and domestic water systems, material hauling, repair and installation of concrete surfaces, asphalt paving, and grading and landscape preparation.
- 2. I graduated from Clemson University in 1981 with a B.S. in Mechanical Engineering. While I grew up around heavy machinery working for my father, following graduation from Clemson I worked as an engineer in the aerospace industry for Rockwell, Lockheed, NASA and the Department of Defense. In 1995, I returned to the

northeastern region of South Carolina, rejoined my father's business, and for about twenty years have had full responsibility for the company. A third generation of Chipleys, my children, now work for the company.

- 3. Chipley Company owns/leases and operates a wide range of Caterpillar's CAT-branded heavy machinery in connection with all of its projects. We have about 30-35 CAT machines. We handle exciting projects important to the economy of our part of South Carolina, and we give the CAT name considerable exposure. Last December, for example, we used CAT machines to lay over 416 feet of storm drain pipe and dug 5 catch basins in Manning, South Carolina. In September 2014, Chipley Company used CAT machines in connection with a new employee athletic facility for GE, as well as its new helium liquefaction facility. This project included demolition of existing structures; utilities work; earth contouring, filling and grading; and laying asphalt and concrete surfaces. In the same timeframe, Chipley used its CAT-branded machinery for demolition and complete reconfiguration of existing concrete areas for facilities operated by BMW, Chevrolet and Mercedes-Benz. In a nutshell, we use CAT machines because they are built to work as hard as they do. The versatility that CAT machines bring to the table for us covers every base I need.
- 4. Chipley Company is not in the forestry business, but I am familiar with Tigercat and their equipment. I watch all of the trades and occasionally work on large projects where forestry products are involved to salvage useable lumber. Construction and forestry, however, are two totally different industries. If a company is in the logging business, they are not performing construction and vice versa. It would be like going to

an orthodontist to fix a broken leg. The fact of the matter is the machines are very different. It would not be efficient to use excavators and bulldozers to perform jobs suited for harvesters and skidders.

- 5. I would be surprised to see Tigercat venture outside of the forestry field. I have always associated Tigercat and its machines with logging. If I saw the Tigercat name on an excavator or a wheel loader, in my opinion it would appear that Tigercat is trying to associate itself with the wide recognition of the CAT name for machines used in many fields. Tigercat sounds like a new CAT prototype, or new generation of machine. If Tigercat planned to expand into manufacturing construction equipment for example, it would be better if it shortened its name to "Tiger" so that it did not have "Cat" in the name.
- 6. I am being compensated at a rate of \$125 per hour. My compensation is in no way based upon the outcome of this litigation. I have not testified as an expert in any cases in the last four years.

Roxlist

Roy Chipley

Date: April 10, 2015

# EXHIBIT B

ESTTA Tracking number:

ESTTA572079

Filing date:

11/20/2013

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## **Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

## Opposer Information

Name	Caterpillar, Inc.
Granted to Date of previous extension	11/20/2013
Address	100 N.E. Adams Street Peoria, IL 61629 UNITED STATES

Attorney information	Christopher P. Foley FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER L.L.P.
	901 New York Avenue, N.W. Washington, DC 20001
	UNITED STATES christopher.foley@finnegan.com, laura.johnson@finnegan.com, bostonttab-notifications@finnegan.com, docketing@finnegan.com Phone:202.408.4000

## Applicant Information

Application No	85814584	Publication date	07/23/2013
Opposition Filing Date	11/20/2013	Opposition Period Ends	11/20/2013
Applicant	Tigercat International Inc. P.O. Box 637 Brantford, Ontario, CAX N3T8 CAX	5P9	

## Goods/Services Affected by Opposition

Class 012. First Use: 2000/07/17 First Use In Commerce: 2000/07/17
All goods and services in the class are opposed, namely: Off road industrial vehicles, namely, skidders and purpose-built prime movers, carrying aerial devices, mulchers and sprayers

## Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

## Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	79056	Application Date	04/11/1910
Registration Date	08/02/1910	Foreign Priority Date	NONE

Word Mark	CATERPILLAR	
Design Mark	CATERPILLAR	
Description of Mark	NONE	
Goods/Services	Class 012. First use: First Use: 1904/09/01 First Use In Commerce: 1904/09/0 TRACTION-ENGINES [ AND HARVESTERS ]	

U.S. Registration No.	345499	Application Date	12/12/1936
Registration Date	04/27/1937	Foreign Priority Date	NONE
Word Mark	CATERPILLAR		
Design Mark	CATE	RPII	LAR
Description of Mark	NONE		
Goods/Services	Use In Commerce: 1904/09/0 TRACTORS ADAPTED TO B ROAD BUILDING, MINING, L OTHER INDUSTRIAL AND A COMBUSTION ENGINES AD OF POWER FORSELF-PROF PORTABLE POWER UNITS POWER AND MANUALLY CO PLANERS, SCARIFIERS, LE GRADERS, SCRAPERS, BUI BANK CUTTERS, AND BACK THE CONSTRUCTION AND REMOVING OF EARTH, SNO	O E EMPLOYED IN FA OGGING, EARTH M GRICULTURAL PUP PAPTED FOR EMPLO PELLED VEHICLES, FOR INDUSTRIAL A DNTROLLED GRADI ANING WHEEL GRA LLDOZERS,LEVELE ( SLOPERS ADAPTE MAINTENANCE OF DW, AND LIKE MATE THER INDUSTRIAL ARVESTERS, MOW WINDROW PICK-UP LL OF SAID PRODUCE	IOVING, HAULING, AND FOR RPOSES; INTERNAL DYMENT AS THE SOURCE AND AS STATIONARY OR ND AGRICULTURAL USES; ERS, TERRACERS, ADERS, ELEVATING RS, PLOWS, DITCHERS, ED TO BE EMPLOYED FOR ROADS, FOR MOVING AND ERIALS, FOR PREVENTING AND AGRICULTURAL USES; ERS, PUSH RAKES, PS; IMPLEMENT HITCHES; CTS AND ATTACHMENTS,

U.S. Registration No.	564272	Application Date	03/10/1949
Registration Date	09/23/1952	Foreign Priority Date	NONE
Word Mark	CAT		,
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 007. First use: First Use: 1949/02/17 First Use In Commerce: 1949/02/17		

DUMP-WAGONS, WHEEL TRACTOR-DUMP-WAGON COMBINATIONS, AND STRUCTURAL PARTS FOR SUCH PRODUCTSDIESEL AND OTHER INTERNAL COMBUSTION ENGINES ADAPTED FOR EMPLOYMENT AS THE SOURCE OF POWER FOR SELF-PROPELLED VEHICLES AND AS STATIONARY OR PORTABLE POWER UNITS FOR INDUSTRIAL, MARINE AND AGRICULTURAL USES; SCRAPING, CARRYING AND DUMPING UNITS ADAPTED TO BE EMPLOYED FOR SCRAPINGAND COLLECTING EARTH, ROCK, OR LIKE MATERIALS AND TRANSPORTING AND DUMPING SAIDMATERIALS; POWER AND MANUALLY CONTROLLED GRADERS, SCARIFIERS, SCRAPERS, AND RIPPERS ADAPTED TO BE EMPLOYED FOR THE CONSTRUCTION AND MAINTENANCE OF ROADS, FOR MOVING AND REMOVING OF EARTH, ROCK, SNOW AND LIKE MATERIALS, FOR PREVENTING SOIL EROSION AND FOR OTHER INDUSTRIAL AND AGRICULTURAL USES; TRACTORS FOR INDUSTRIAL AND AGRICULTURAL PURPOSES; AND PARTS ANDSERVICE TOOLS FURNISHED WITH SAID PRODUCTS Class 012. First use: First Use: 1948/12/09 First Use In Commerce: 1948/12/09 ELECTRIC GENERATORS AND DIESEL ELECTRIC [ ELECTRIC ] GENERATOR SETS, AND PARTS FURNISHED WITH SAID PRODUCTS

U.S. Registration No.	770639	Application Date	07/31/1963
Registration Date	06/02/1964	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 012. First use: First Use: 1949/02/17 First Use In Commerce: 1949/02/17		
	Motor Trucks, Dump Wagons, Wheel Tractor-Dump Wagon Combinations, Wheel Tractors, and Parts Therefor		

U.S. Registration No.	777703	Application Date	11/20/1963
Registration Date	09/29/1964	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 004. First use: First Use: 1962/11/27 First Use In Commerce: 1962/11/27 Anti-Seize and Sealing Lubricant		

U.S. Registration No.	778638	Application Date	03/12/1963
Registration Date	10/13/1964	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 037. First use: First Use: 1951/00/00 First Use In Commerce: 1951/00/00		

	Service, Maintenance and Repair of Trucks, Tractors, Engines, Earthmoving Equipment and Control Units Therefor, Generators and Agricultural Equipment		
U.S. Registration	871146	Application Date	06/03/1968

U.S. Registration No.	871146	Application Date	06/03/1968	
Registration Date	06/17/1969	Foreign Priority Date	NONE	
Word Mark	CAT	CAT		
Design Mark				
Description of Mark	NONE			
Goods/Services	Class 006. First use: First Use: 1967/04/12 First Use In Commerce: 1967/04/27 HOSE COUPLINGS Class 017. First use: First Use: 1967/04/12 First Use In Commerce: 1967/04/27 HYDRAULIC HOSE; SEALS FOR VEHICLES AND MACHINERY			

U.S. Registration No.	984444	Application Date	03/29/1973
Registration Date	05/21/1974	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark			•
	CAT		
Description of Mark	NONE		
Goods/Services	Class 007. First use: First Use: 1973/01/30 First Use In Commerce: 1973/01/30 LIFT TRUCKS, AND ENGINES, ATTACHMENTS AND PARTS THEREFOR		

U.S. Registration No.	985439	Application Date	03/29/1973
Registration Date	06/04/1974	Foreign Priority Date	NONE
Word Mark	CATERPILLAR		
Design Mark	CATERPILLAR		
Description of Mark	NONE		
Goods/Services	Class 007. First use: First Use: 1970/09/00 First Use In Commerce: 1970/09/00 LIFT TRUCKS, AND ENGINES, ATTACHMENTS AND PARTS THEREFOR		

U.S. Registration No.	1023137	Application Date	09/24/1973
Registration Date	10/21/1975	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1966/08/01 First Use In Commerce: 1966/08/01 BATTERIES, FUSES, ELECTRICAL CABLES, CONDUITS, FASTENERS AND TERMINALS; SWITCHES, ENGINE STARTING SYSTEMS, SPARK PLUGS,SPARK PLUG FIRING INDICATORS, LOAD SIGNAL SYSTEMS, FLASHERS, BRAKE ACCUMULATOR BUZZERS, LOW AIR PRESSURE ALARMS, TURN SIGNAL FLASHERS, SPEEDOMETERS, ODOMETERS,TIRE WEAR GAUGES, TIRE PRESSURE GAUGES,HYDRAULIC SYSTEM FILTER INDICATORS, AIRCLEANER SERVICE INDICATORS, FUEL PRESSURE GAUGES, ENGINE OIL PRESSURE GAUGES, TORQUE CONVERTER TEMPERATURE GAUGES, WATER TEMPERATURE GAUGES, AND SERVICE METERS		

U.S. Registration No.	1579437	Application Date	11/07/1988
Registration Date	01/23/1990	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 037. First use: First Use: 1988/10/20 First Use In Commerce: 1988/10/20 MAINTENANCE AND REPAIR SERVICES IN THE FIELD OF INTERNAL COMBUSTION ENGINES, VEHICLES AND POWER EQUIPMENT; NAMELY TRUCKS, TRACTORS, ENGINES, EARTHMOVING EQUIPMENT, MATER IAL HANDLING EQUIPMENT, PAVING EQUIPMENT, AGRICULTURAL EQUIPMENT, GENERATORS, AND CONTROL UNITS FOR THE AFOREMENTIONED		

U.S. Registration No.	2140606	Application Date	02/05/1997
Registration Date	03/03/1998	Foreign Priority Date	NONE
Word Mark	CAT		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 007. First use: First Use: 1988/07/13 First Use In Commerce: 1988/10/20
	machinery for earth moving, earth conditioning and material handling, namely, loaders and engines therefor, and parts for vehicle and internal combustion engines
	Class 012. First use: First Use: 1988/07/13 First Use In Commerce: 1988/10/20
	vehicles for earth and material haulingand handling, namely, tractors and engines therefor

U.S. Registration No.	2364591	Application Date	08/30/1999
Registration Date	07/04/2000	Foreign Priority Date	NONE
Word Mark	CAT	-	
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use	e: 1996/12/00 First U	se In Commerce: 1996/12/00
	BUSINESS MANAGEMENT AND CONSULTATION SERVICES, NAMELY, PRODUCT DISTRIBUTION OPERATIONS MANAGEMENT SERVICES; LOGISTICS CONSULTING SERVICES, NAMELY, PROVIDING CONTRACT LOGISTICS SERVICES AND CONSULTINGIN THE AREAS OF INVENTORY MANAGEMENT FREIGHT TRANSPORTATION MANAGEMENT, WAREHOUSE AND PRODUCT DISTRIBUTION OPERATIONS MANAGEMENT		
	Class 039. First use: First Use	e: 1996/12/00 First U	se In Commerce: 1996/12/00
	warehousing services	-, 1006/10/00 Fi+ ! !	lac In Commerce: 1000/48/00
	Class 042. First use: First Use: 1996/12/00 First Use In Commerce: 1996/12/0 DESIGN OF COMPUTERIZED INFORMATION SYSTEMS FOR MANAGING LOGISTICS AND PRODUCT DISTRIBUTION PROCESSES FOR OTHERS		YSTEMS FOR MANAGING

U.S. Registration No.	2364592	Application Date	08/30/1999
Registration Date	07/04/2000	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark	CAT	1	
Description of Mark	NONE .		
Goods/Services	Class 035. First use: First Use: 1996/12/00 First Use In Commerce: 1996/12/00 Business management and consultation services, namely, product distribution operations management services; logistics consulting services, namely, providing contract logistics services and consultingin the areas of inventory management, freight transportation management, warehouse and product distribution operations management and designing and managing complete logistics solutions for others Class 039. First use: First Use: 1996/12/00 First Use In Commerce: 1996/12/00 warehousing services Class 042. First use: First Use: 1996/12/00 First Use In Commerce: 1996/12/00 Design of computerized information systems for managing logistics and product distribution processes for others		

U.S. Registration No.	2421077	Application Date	11/12/1999
Registration Date	01/16/2001	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 007. First use: First Us HYDRAULIC EXCAVATORS		se In Commerce: 1988/10/20 EXCAVATORS; WHEELED

EXCAVATORS; FRONT SHOVELS; BACKHOE LOADERS; SKID STEER LOADERS; COMPACT WHEEL LOADERS; WHEEL LOADERS; INTEGRATED TOOLCARRIERS; TELESCOPIC HANDLERS; TRACK LOADERS; WHEEL TRACTOR-SCRAPERS; TRACK-TYPE TRACTORS; WHEEL DOZERS; MOTOR GRADERS; SOIL COMPACTORS; COLD PLANERS; ROAD RECLAIMERS; ASPHALT PAVERS; VIBRATORY COMPACTORS; MARINE ENGINES; INDUSTRIAL ENGINES; DIESEL GENERATOR SETS; GAS GENERATOR SETS; DEMOLITION MACHINES AND SCRAP MATERIAL HANDLERS FOR USE THEREWITH, namely, BLADES, BUCKETS, CRUSHERS, GRAPPLERS, HAMMERS, HYDRAULIC BROOMS, MOBILE SHEARS, PALLET FORKS; PULVERIZERS, AND RAKES; LOG LOADERS; [ COMBINES; ] PIPELAYERS; MINING SHOVELS; WASTE HANDLING MACHINES; AND PARTS FOR ALL THE ABOVE Class 012, First use: First Use: 1988/07/13 First Use In Commerce: 1988/10/20 off-highway trucks; articulated trucks; truck engines; agricultural tractors; and parts for all the above

publication and a second and a			
U.S. Registration No.	4193027	Application Date	06/23/2011
Registration Date	08/21/2012	Foreign Priority Date	NONE
Word Mark	CATERPILLAR		
Design Mark	CATERPILLAR		
Description of Mark	NONE		
Goods/Services	Class 007. First use: First Use: 1910/00/00 First Use In Commerce: 1910/00/00 Engines, other than for land vehicles; engines not for land vehicles, compressors for machines, electricity generators, and pumps for machines, for use in agriculture, compaction, construction, demolition, earth conditioning, earth contouring, earth moving, forestry, landscaping, lawn care, lifting, marine propulsion,material handling, mining, oil and gas production, paving, pipelaying, power generation, and road building and repair; machines and machine tools for use in agriculture, compaction, construction, demolition, earth conditioning, earth contouring, earth moving, forestry, landscaping, lawn care, lifting, marine propulsion, material handling, mining, oil and gas production, paving, pipelaying, power generation, and road building and repair  Class 012. First use: First Use: 1910/00/00 First Use In Commerce: 1910/00/00 Land vehicles for use in agriculture, compaction, construction, demolition, earth conditioning, earth contouring, earthmoving, forestry, landscaping, lawn care, lifting, marine propulsion, material handling, mining, oil and gas production, paving, pipelaying, power generation, and road building and repair; locomotives; engines for land vehicles		

U.S. Registration	277417	Application Date	03/24/1930
No.			

Registration Date	11/11/1930	Foreign Priority Date	NONE
Word Mark	CATERPILLAR		
Design Mark	CATERPILLAR		
Description of Mark	NONE		
Goods/Services	Class 012. First use: First Use: 1904/09/00 First Use In Commerce: 1904/09/00 TRACTORS, TRACTOR ENGINES, TRACK LINKS, TRACK SHOES, GROUSERS, GREASE GUNS; [AGRICULTURAL MACHINERY TOOLS, AND EQUIPMENT- NAMELY, COMBINED HARVESTERS, WINDROWERS, PICK-UP MACHINERY GRAIN CLEANERS, GRAIN GRADERS, AND THRESHING MACHINES; ] ROAD CONSTRUCTION AND MAINTENANCE MACHINERY, TOOLS, AND EQUIPMENT-NAMELY, GRADERS, [ELEVATING GRADERS, ROAD PLANERS, ] SCARIFIERS, PLOWS, LOGGING MACHINERY, TOOLS, AND EQUIPMENT-NAMELY, LOGGING ENGINES, [WINCHES, LOG HOISTS, AND BUMMERS; ] AND THE PARTS FOR ALL SAID GOODS		

Attachments	71049020#TMSN.gif( bytes )	
	71386675#TMSN.gif( bytes )	
	72452924#TMSN.gif( bytes )	
	72452923#TMSN.gif( bytes )	
	73762371#TMSN.gif( bytes )	
	75236985#TMSN.gif( bytes )	
	75788362#TMSN.gif( bytes )	
	75788387#TMSN.gif( bytes )	
	75830492#TMSN.gif( bytes )	
	85354196#TMSN.jpeg(bytes)	
	71297791#TMSN.gif( bytes )	
	85 814,584 TIGERCAT OPPOSITION.pdf(4911316 bytes)	

## **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Overnight Courier on this date.

Signature	/Christopher P. Foley/
Name	Christopher P. Foley
Date	11/20/2013

## EXHIBIT H

## UNITED STATES DISTRICT COURT

for the

District of New Hampshire

CATERPILLAR INC.	)
Plaintiff	
V.	) Civil Action No. TTAB Opposition No. 91213597
TIGERCAT INTERNATIONAL INC.	)
Defendant	)
SUBPOENA TO TESTIFY	Y AT A DEPOSITION IN A CIVIL ACTION
To: Mr. Dave Foster, President and	Owner of Foster Materials of Henniker, New Hampshire
(Name of p	person to whom this subpoena is directed)
deposition to be taken in this civil action. If you are or managing agents, or designate other persons whethose set forth in an attachment:	to appear at the time, date, and place set forth below to testify at a re an organization, you must designate one or more officers, directors, to consent to testify on your behalf about the following matters, or elephonic means or via video conference if so ordered by the
Place: Centenniel Inn, 96 Pleasant Street, Conco	Date and Time: 07/07/2015 10:00 am
The deposition will be recorded by this me	ethod: stenographic means by Duffy & McKenna, court reporters
	, must also bring with you to the deposition the following documents, ts, and must permit inspection, copying, testing, or sampling of the
	P. 45 are attached – Rule 45(c), relating to the place of compliance; subject to a subpoena; and Rule 45(e) and (g), relating to your duty to be uncess of not doing so.
Date: 06/02/2015	
CLERK OF COURT	
	OR The state of th
Signature of Clerk or	Deputy Clerk  Lohn & Jachn - header  Attorney's signature
The name, address, e-mail address, and telephone Tigercat International Inc	number of the attorney representing (name of party)  Defendant , who issues or requests this subpoena, are:
	16th Street, 22nd Fl., Phila., PA 19102 (215) 851-8522
rjacobsmeadway@eckertseamans.com	

## Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. TTAB Opposition No. 91213597

## PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

(date)	<u> </u>			
☐ I served the sub	poena by delivering a copy to the nar	ned individual as follow	VS:	
		on (date)	; or	
☐ I returned the s	ubpoena unexecuted because:			
tendered to the wi	na was issued on behalf of the United tness the fees for one day's attendance	•	• .	
fees are \$	for travel and \$	for services, fo	or a total of \$	0.00
I declare under pe	nalty of perjury that this information i	s true.		
e:		Server's signa	uture	
	· 	Printed name ar	nd title	
		Server's addi	ress	

Additional information regarding attempted service, etc.:

## Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

### (c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

- (ii) is commanded to attend a trial and would not incur substantial expense.
- (2) For Other Discovery. A subpoena may command:
- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
  - (B) inspection of premises at the premises to be inspected.

#### (d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees-on a party or attorney who fails to comply.

### (2) Command to Produce Materials or Permit Inspection.

(A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an

order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

#### (3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
  - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or
- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (Č) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
  - (ii) ensures that the subpoenaed person will be reasonably compensated.

#### (e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored
- (A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- (D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

### (2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
  - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

## (g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

## RIDER TO SUBPOENA DUCES TECUM – DAVE FOSTER

## **Definitions**

- 1. The term "Applicant," as used herein, shall mean Tigercat International Inc.
- 2. The term "Opposer," as used herein, shall mean Caterpillar Inc.
- 3. "You" or "your" shall mean Dave Foster, Foster Materials, Inc., Foster Construction, Foster Wells, Henniker Redi-Mix and Hopkinton Construction.
- 4. The term "Case" shall refer to Caterpillar Inc. v. Tigercat International Inc., Opposition No. 91213597, pending at the Trademark Trial and Appeal Board of the United States Patent and Trademark Office.
- 5. The term "Report" as used herein, shall mean your report dated April 10, 2015, attached hereto as Exhibit A.
- 6. The term "Opposer's Goods and Services" as used herein, shall mean the goods and services listed in the registrations relied upon by Opposer in this Case, and attached hereto as Exhibit B.

## Instructions

This request is being made for all documents and/or other tangible things (including but not limited to documents, materials, data or other information relied upon by you in forming the opinions set forth in your Report in this Case). To the extent that documents or tangible things are in your possession or control for which you claim attorney/client privilege or attorney work product, produce a privilege log that describes each document or tangible thing that sets forth the following: (1) date of document or tangible thing; (2) description; (3) identity of the author; (4) the person(s) to whom the document or tangible thing is addressed or copied; and (5) privilege under which you claim the document or tangible thing is protected from disclosure.

Kindly produce the following:

- 1. All documents and tangible things relied upon by you as support for each opinion in your Report.
- 2. All documents and tangible things reviewed by you to prepare for your deposition in this Case.
- 3. A comprehensive list of all depositions and trial testimony given by you during the last four years, including any court identifiers and names of opposing counsel.

- 4. All publications authored by you or in conjunction with others, in the last ten years, concerning "heavy machinery", "machinery" or "machine(s)", as you use those terms in Paragraphs 2, 3, and 5 of your Report.
- 5. All publications authored by you or in conjunction with others, in the last ten years, concerning "forestry products" or forestry "machines" or "products", as you use those terms in Paragraphs 4 and 5 of your Report.
- 6. All publications authored by you or in conjunction with others, in the last ten years, concerning "CAT machinery", "CAT everything", "CAT-products", "CAT dirt machines", "CAT name", or "Caterpillar equipment", as you use those terms in Paragraphs 3, 5 and 6 of your Report.
- 7. All publications authored by you or in conjunction with others, in the last ten years, concerning purchasers or users of "Caterpillar equipment" or "CAT this" or "CAT that" and their perception of the "CAT name", as you use those terms in Paragraphs 3 and 6 of your Report.
- 8. All publications authored by you or in conjunction with others, in the last ten years, concerning the marketing or promotion of "heavy machinery", "machinery", "machines", or "products" bearing a name or mark, as you use those terms in Paragraphs 2, 3, 4, 5 and 6 of your Report, for example "CAT machines" or "Tigercat name".
- 9. A comprehensive list of all interviews, lectures, speeches, appearances or presentations you have given, in the last ten years, referring or relating to "heavy machinery", "machinery" or "machine(s)", as you use those terms in Paragraphs 2, 3, and 5 of your Report, and the related documents and tangible things, including but not limited to the interview transcripts, lecture notes, speech notes, or any recordings of the same.
- 10. A comprehensive list of all interviews, lectures, speeches, appearances or presentations you have given, in the last ten years, referring or relating to "forestry products" or forestry "machines" or "products", as you use those terms in Paragraphs 4 and 5 of your Report, and the related documents and tangible things, including but not limited to the interview transcripts, lecture notes, speech notes, or any recordings of the same.
- 11. A comprehensive list of all interviews, lectures, speeches, appearances or presentations you have given, in the last ten years, referring or relating to "CAT machinery", "CAT everything", "CAT-products", "CAT dirt machines", "CAT name", or "Caterpillar equipment", as you use those terms in Paragraphs 3, 5 and 6 of your Report, and the related documents and tangible things, including but not limited to the interview transcripts, lecture notes, speech notes, or any recordings of the same.
- 12. A comprehensive list of all interviews, lectures, speeches, appearances or presentations you have given, in the last ten years, referring or relating to purchasers or users of "Caterpillar equipment" or "CAT this" or "CAT that" as you use those terms in

Paragraphs 3 and 6 of your Report and the related documents and tangible things, including but not limited to the interview transcripts, lecture notes, speech notes, or any recordings of the same.

- 13. A comprehensive list of all interviews, lectures, speeches, appearances or presentations you have given, in the last ten years, referring or relating to the marketing or promotion of "heavy machinery", "machinery", "machines", or "products" bearing a name or mark, as you use those terms in Paragraphs 2, 3, 4, 5 and 6 of your Report, for example "CAT machines" or "Tigercat name" and the related documents and tangible things, including but not limited to the interview transcripts, lecture notes, speech notes, or any recordings of the same.
- 14. Documents sufficient to identify any research regarding or relating to "heavy machinery", "machinery" or "machine(s)", as you use those terms in Paragraphs 2, 3, and 5 of your Report which you have performed or caused to be performed in the last ten years.
- 15. Documents sufficient to identify any research you have performed or caused to be performed in the last ten years in connection with "forestry products" or forestry "machines" or "products", as you use those terms in Paragraphs 4 and 5 of your Report.
- Documents sufficient to identify any research you have performed or caused to be performed in the last ten years in connection with "CAT machinery", "CAT everything", "CAT-products", "CAT dirt machines", "CAT name", or "Caterpillar equipment", as you use those terms in Paragraphs 3, 5 and 6 of your Report.
- 17. Documents sufficient to identify any research you have performed or caused to be performed in the last ten years in connection with "Caterpillar equipment" or "CAT this" or "CAT that", as you use those terms in Paragraphs 3 and 6 of your Report.
- 18. Documents sufficient to identify any research you have performed or caused to be performed in the last ten years in connection with the marketing or promotion of "heavy machinery", "machinery", "machines" or "products" bearing a name or mark, as you use those terms in Paragraphs 2, 3, 4, 5 and 6 of your Report, for example "CAT machines" or "Tigercat name".
- 19. Documents sufficient to show the inventory of "CAT machinery", "CAT everything" and "CAT products" owned, leased or operated by you or your company or at your request or direction, during the last ten years, as described in Paragraph 2 of your Report.
- 20. Documents sufficient to show the inventory of Caterpillar equipment sold or re-sold by you or your company or at your request or direction, during the last ten years.
- 21. Documents sufficient to show the inventory of equipment not manufactured by Caterpillar sold or re-sold by you or your company or at your request or direction, during the last ten years.

- 22. Documents sufficient to show the inventory of goods manufactured by Caterpillar sold or re-sold by you or your company or at your request or direction, during the last ten years.
- 23. Documents sufficient to show the inventory of goods not manufactured by Caterpillar sold or re-sold by you or your company or at your request or direction, during the last ten years.
- 24. Documents sufficient to show the inventory of machines, not manufactured by Caterpillar, owned, leased or operated by you or your company or at your request or direction, during the last ten years.
- 25. Documents sufficient to show the catalogues or other product literature that you have used, reviewed or retained during the last ten years that refer or relate to "CAT machinery", "CAT everything" and "CAT products", as described in Paragraph 3 of your Report.
- 26. Documents sufficient to show the catalogues or other product literature that you have used, reviewed or retained during the last ten years that refer or relate to heavy machinery, forestry products or products manufactured by Tigercat or sold under the TIGERCAT mark or name, as you use those terms in Paragraph 4 of your Report.
- 27. Documents sufficient to show the catalogues or other product literature that you have used, reviewed or retained during the last ten years that refer or relate to heavy machinery not manufactured by Tigercat or Caterpillar.
- 28. Documents sufficient to show the terms of purchase, lease or operation for the "CAT machinery", "CAT everything" and "CAT products" owned, leased or operated by you, for the last ten years, as described in Paragraph 3 of your Report.
- 29. Documents sufficient to show the terms of purchase, lease or operation for the machines, not manufactured by Caterpillar, owned, leased or operated by you for the last ten years.
- 30. Documents sufficient to show the terms of any agreement between you and Opposer regarding or relating to your promotion of Opposer's Goods and Services.
- 31. Documents sufficient to show the terms of any agreement between you and Opposer regarding or relating to promotion of you or your products or services and Opposer and Opposer's Goods and Services.
- 32. Documents sufficient to show the inventory of machines, not manufactured by Caterpillar, owned, leased or operated by you for the last ten years that are yellow.
- 33. Documents sufficient to show what Opposer contributed to your website and any other promotional materials used by you, for example, the photos accessible on your website which show Caterpillar equipment.

- 34. Documents sufficient to show what consideration Caterpillar gave you or what consideration you gave Caterpillar for the photos accessible on your website which show Caterpillar equipment, your website and any other promotional materials used by you.
- 35. Documents sufficient to show the terms of any agreement between you and your local dealer for Opposer regarding or relating to your promotion of Opposer's Goods and Services.
- 36. Documents sufficient to show the terms of any agreement between you and your local dealer for Opposer regarding or relating to your promotion of your local dealer of Opposer, your local dealer's products or your local dealer's services.
- 37. Documents sufficient to show the terms of any agreement between you and your local dealer for Opposer regarding or relating to promotion of you or your products or services and Opposer and Opposer's Goods and Services.
- 38. Documents sufficient to show the terms of any agreement between you and your local dealer for Opposer regarding or relating to promotion of you or your products or services and your local dealer for Opposer and your local dealer for Opposer's products and services.
- 39. Documents sufficient to show the nature and extent of your familiarity with the "Tigercat name", Tigercat "forestry products" and "Tigercat product", as you use those terms in Paragraph 4 of your Report.
- 40. Documents sufficient to show or otherwise identify all of the Tigercat "forestry products" and "Tigercat product" of which you are aware as you use those terms in Paragraph 4 of your Report and the purposes, functions or applications for which such Tigercat "forestry products" and "Tigercat product" is or may be used.
- 41. Documents sufficient to show the terms of purchase, lease or operation for any Tigercat "forestry products" and "Tigercat product" owned, leased or operated by you, as you describe such machines in Paragraph 4 of your Report.
- 42. Documents and tangible things sufficient to show the "occasions" on which you have worked where forestry products were used, as you describe such projects in Paragraph 5 of your Report.
- 43. All documents and tangible things that you reviewed or relied upon as the basis for your statement regarding the assertion that "Caterpillar has always had the name CAT", as set forth in Paragraph 6 of your Report.
- 44. All documents and tangible things that you reviewed or relied upon as the basis for your statement regarding the assertion that "I believe everybody I'm associated with thinks of Caterpillar equipment when they hear the CAT name", as set forth in Paragraph 6 of your Report.

- 45. All documents and tangible things that you reviewed or relied upon as the basis for your statement regarding the assertion that: "It's common to hear people say "I have a CAT, CAT this and CAT that." as set forth in Paragraph 6 of your Report.
- Any documents and tangible things that you reviewed in connection with your assertion that: "It's common to hear people say "I have a CAT, CAT this and CAT that." as set forth in Paragraph 6 of your Report, which refer to a BOBCAT product or ARCTIC CAT product or equipment manufactured by a company other than Opposer.
- 47. Any documents and tangible things that you reviewed which show use of CAT to refer to any piece of "heavy machinery", "machinery" or "machine(s)", as you use those terms in Paragraphs 2, 3, 4, 5 and 6 of your Report, or any construction or off road equipment not made or distributed by or on behalf of Opposer.
- 48. A comprehensive list of courses, classes, seminars or other educational programs you have taken in marketing and marketing research, and documents identifying the scope of the courses, classes, seminars or other educational programs you have taken in marketing and market research.
- 49. Documents sufficient to show the machinery or equipment bearing the name or mark "BOBCAT" of which you are aware.
- 50. Documents sufficient to show the machinery or equipment bearing the name or mark "ARCTIC CAT" of which you are aware.
- 51. Documents sufficient to show the machinery or equipment bearing the name or mark "ECHO BEAR CAT" or "BEAR CAT" of which you are aware.
- 52. Documents sufficient to show the machinery or equipment bearing the name or mark "TIGER TRAIL CAT" or "TRAIL CAT" of which you are aware.
- Documents sufficient to identify any research which you have performed or caused to be performed in the last five years regarding or relating to the use, purpose, function, application or versatility of "CAT machinery", "CAT everything", "CAT products" and "CAT dirt machines", as you use those terms in Paragraphs 3 and 5 of your Report.
- Documents sufficient to identify any research which you have performed or caused to be performed in the last five years regarding or relating to the use, purpose, function, application or versatility of machines not manufactured by Caterpillar which have similar use, purpose, function, application or versatility to the "CAT machinery", "CAT everything", "CAT products" and "CAT dirt machines", as you use those terms in Paragraphs 3 and 5 of your Report.
- 55. Documents sufficient to show any heavy machinery customer research of which you are aware, other than customer satisfaction surveys.

- 56. Documents sufficient to show the warranties for the "CAT-branded heavy machinery" which you use in your business.
- 57. Documents sufficient to show the warranty claims you have made in the last five years in connection with "CAT-branded machinery".

# EXHIBIT A

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

CATERPILLAR INC.,

Opposer,

٧.

TIGERCAT INTERNATIONAL INC.,

Applicant.

Opposition No. 91213597

Mark: TIGERCAT

Application Serial No. 85/814,584

Filing Date: January 3, 2013

### EXPERT REPORT OF DAVE FOSTER

- 1. I am the President and owner of Foster Materials Inc. of Henniker, New Hampshire. Foster Materials Inc., which was established in 1989, is a leader in the turf maintenance industry. Among other things, we provide raw materials for golf courses, athletic fields and horse farms throughout New England. Our raw materials include premium topdressing sand, custom blends, as well as stone and gravel products. Customers have included Fenway Park, home of the Boston Red Sox, and many of the finest golf courses in New England.
- 2. In addition to Foster Materials Inc., I have owned and operated several other businesses dating back to the 1960's that have been based in New Hampshire, including Foster Construction, Foster Wells and Henniker Redi-Mix, and Hopkinton

Construction. In each of these businesses, I have depended on heavy machinery from Caterpillar, John Deere and others.

- 3. I have been working with CAT machinery in all those companies since the mid-60's. I've had CAT everything loaders, dozers, excavators, graders, batteries, filters, grade A bolts, paint, shovels and tools. I buy CAT products and I stand by them. I like CAT products. I like what they do. I have toured Caterpillar's manufacturing facility. I have also gone to their open houses at trade shows in Las Vegas.
- 4. I am familiar with the Tigercat name principally from occasional logging shows on television. I know that Tigercat manufactures forestry products, such as skidders. I have always associated Tigercat with forestry products, and have never owned a Tigercat product.
- 5. While I am not engaged in forestry, there are occasions when I need to clear roads, for example. In those situations, I have always had my friends in the forestry field assist with their skidders and shears. The CAT dirt machines I use are very different from forestry machines. They support two very different business fields.
- 6. There is no question that I associate Caterpillar with the CAT name. Caterpillar has always had the name CAT. I believe everybody I'm associated with thinks of Caterpillar equipment when they hear the CAT name. It's common to hear people say "I have a CAT, CAT this and CAT that." I believe if Tigercat were to make a competing line of dirt machine, I would think they would do so that others would associate their products with Caterpillar.

7. I am being compensated at a rate of \$125 per hour. My compensation is in no way based upon the outcome of this litigation. I have not testified as an expert in any cases in the last four years.

Ву:

Dave Foster

Date: April 10, 2015

# EXHIBIT B

ESTTA Tracking number:

ESTTA572079

Filing date:

11/20/2013

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

### **Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	Caterpillar, Inc.
Granted to Date of previous extension	11/20/2013
Address	100 N.E. Adams Street Peoria, IL 61629 UNITED STATES

Attorney	Christopher P. Foley
information	FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER L.L.P.
	901 New York Avenue, N.W.
	Washington, DC 20001
	UNITED STATES
	christopher.foley@finnegan.com, laura.johnson@finnegan.com, boston-
	ttab-notifications@finnegan.com, docketing@finnegan.com
	Phone:202.408.4000

## **Applicant Information**

Application No	85814584	Publication date	07/23/2013
Opposition Filing Date	11/20/2013	Opposition Period Ends	11/20/2013
Applicant	Tigercat International Inc. P.O. Box 637 Brantford, Ontario, CAX N3TS CAX	5P9	

## Goods/Services Affected by Opposition

Class 012. First Use: 2000/07/17 First Use In Commerce: 2000/07/17
All goods and services in the class are opposed, namely: Off road industrial vehicles, namely, skidders and purpose-built prime movers, carrying aerial devices, mulchers and sprayers

## Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

## Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	79056	Application Date	04/11/1910
Registration Date	08/02/1910	Foreign Priority Date	NONE

Word Mark	CATERPILLAR
Design Mark	CATERPILLAR
Description of Mark	NONE
Goods/Services	Class 012. First use: First Use: 1904/09/01 First Use In Commerce: 1904/09/01 TRACTION-ENGINES [ AND HARVESTERS ]

U.S. Registration No.	345499	Application Date	12/12/1936
Registration Date	04/27/1937	Foreign Priority Date	NONE
Word Mark	CATERPILLAR		
Design Mark	CATE	RPII	LLAR
Description of Mark	NONE		
Goods/Services	Class U023 (International Class 007, 012). First use: First Use: 1904/09/00 First Use In Commerce: 1904/09/00  TRACTORS ADAPTED TO BE EMPLOYED IN FARMING OPERATIONS, ROAD BUILDING, MINING, LOGGING, EARTH MOVING, HAULING, AND FOOTHER INDUSTRIAL AND AGRICULTURAL PURPOSES; INTERNAL COMBUSTION ENGINES ADAPTED FOR EMPLOYMENT AS THE SOURCE OF POWER FORSELF-PROPELLED VEHICLES, AND AS STATIONARY OR PORTABLE POWER UNITS FOR INDUSTRIAL AND AGRICULTURAL USES; POWER AND MANUALLY CONTROLLED GRADERS, TERRACERS, PLANERS, SCARIFIERS, LEANING WHEEL GRADERS, ELEVATING GRADERS, SCRAPERS, BULLDOZERS, LEVELERS, PLOWS, DITCHERS, BANK CUTTERS, AND BACK SLOPERS ADAPTED TO BE EMPLOYED FOR THE CONSTRUCTION AND MAINTENANCE OF ROADS, FOR MOVING AND REMOVING OF EARTH, SNOW, AND LIKE MATERIALS, FOR PREVENTING SOIL EROSION AND FOR OTHER INDUSTRIAL AND AGRICULTURAL USE: HARVESTERS, COMBINE HARVESTERS, MOWERS, PUSH RAKES, WINDROW HEADERS AND WINDROW PICK-UPS; IMPLEMENT HITCHES; PARTS AND TOOLS FOR ALL OF SAID PRODUCTS AND ATTACHMENTS, ACCESSORIES AND EQUIPMENT ASSOCIABLE WITH ALL OF SAID PRODUCTS.		ARMING OPERATIONS, MOVING, HAULING, AND FOR RPOSES; INTERNAL OYMENT AS THE SOURCE AND AS STATIONARY OR ND AGRICULTURAL USES; ERS, TERRACERS, ADERS, ELEVATING ERS, PLOWS, DITCHERS, ED TO BE EMPLOYED FOR ROADS, FOR MOVING AND ERIALS, FOR PREVENTING AND AGRICULTURAL USES; PS; IMPLEMENT HITCHES; CTS AND ATTACHMENTS,

U.S. Registration No.	564272	Application Date	03/10/1949
Registration Date	09/23/1952	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark			
Description of Mark	NONE .		
Goods/Services	Class 007. First use: First Use: 1949/02/17 First Use In Commerce: 1949/02/17		

DUMP-WAGONS, WHEEL TRACTOR-DUMP-WAGON COMBINATIONS, AND STRUCTURAL PARTS FOR SUCH PRODUCTSDIESEL AND OTHER INTERNAL COMBUSTION ENGINES ADAPTED FOR EMPLOYMENT AS THE SOURCE OF POWER FOR SELF-PROPELLED VEHICLES AND AS STATIONARY OR PORTABLE POWER UNITS FOR INDUSTRIAL, MARINE AND AGRICULTURAL USES; SCRAPING, CARRYING AND DUMPING UNITS ADAPTED TO BE EMPLOYED FOR SCRAPINGAND COLLECTING EARTH, ROCK, OR LIKE MATERIALS AND TRANSPORTING AND DUMPING SAIDMATERIALS; POWER AND MANUALLY CONTROLLED GRADERS, SCARIFIERS, SCRAPERS, AND RIPPERS ADAPTED TO BE EMPLOYED FOR THE CONSTRUCTION AND MAINTENANCE OF ROADS, FOR MOVING AND REMOVING OF EARTH, ROCK, SNOW AND LIKE MATERIALS, FOR PREVENTING SOIL EROSION AND FOR OTHER INDUSTRIAL AND AGRICULTURAL USES; TRACTORS FOR INDUSTRIAL AND AGRICULTURAL PURPOSES; AND PARTS ANDSERVICE TOOLS FURNISHED WITH SAID PRODUCTS Class 012. First use: First Use: 1948/12/09 First Use In Commerce: 1948/12/09 ELECTRIC GENERATORS AND DIESEL ELECTRIC [ ELECTRIC ] GENERATOR SETS, AND PARTS FURNISHED WITH SAID PRODUCTS

GENERATOR SETS, AND PARTS FURNISHED WITH SAID PRODUCTS

3. Registration 770639 Application Date 07/31/1963

U.S. Registration No.	770639	Application Date	07/31/1963
Registration Date	06/02/1964	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 012. First use: First Use: 1949/02/17 First Use In Commerce: 1949/02/17		
	Motor Trucks, Dump Wagons, Wheel Tractor-Dump Wagon Combinations, Wheel Tractors, and Parts Therefor		

U.S. Registration No.	777703	Application Date	11/20/1963
Registration Date	09/29/1964	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 004. First use: First Use: 1962/11/27 First Use In Commerce: 1962/11/27 Anti-Seize and Sealing Lubricant		

U.S. Registration No.	778638	Application Date	03/12/1963
Registration Date	10/13/1964	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 037. First use:	First Use: 1951/00/00 First U	lse In Commerce: 1951/00/00

Service, Maintenance and Repair of Trucks, Tractors, Engines, Earthmoving	
Equipment and Control Units Therefor, Generators and Agricultural Equipment	

			T 00/00/4000	
U.S. Registration No.	871146	Application Date	06/03/1968	
Registration Date	06/17/1969	Foreign Priority Date	NONE	
Word Mark	CAT			
Design Mark				
Description of Mark	NONE			
Goods/Services	Class 006. First use: First Use: 1967/04/12 First Use In Commerce: 1967/04/27			
	HOSE COUPLINGS			
	Class 017. First use: First Use: 1967/04/12 First Use In Commerce: 1967/04/27			
	HYDRAULIC HOSE; SEALS FOR VEHICLES AND MACHINERY			

U.S. Registration No.	984444	Application Date	03/29/1973
Registration Date	05/21/1974	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark			·
	CAT		
		·	
Description of Mark	NONE		
Goods/Services	Class 007. First use: First Use: 1973/01/30 First Use In Commerce: 1973/01/30 LIFT TRUCKS, AND ENGINES, ATTACHMENTS AND PARTS THEREFOR		

U.S. Registration No.	985439	Application Date	03/29/1973
Registration Date	06/04/1974	Foreign Priority Date	NONE
Word Mark	CATERPILLAR		
Design Mark	·	PILLAR	
Description of Mark	NONE		
Goods/Services	Class 007. First use: First Use: 1970/09/00 First Use In Commerce: 1970/09/00 LIFT TRUCKS, AND ENGINES, ATTACHMENTS AND PARTS THEREFOR		

U.S. Registration No.	1023137	Application Date	09/24/1973	
Registration Date	10/21/1975	Foreign Priority Date	NONE	
Word Mark	CAT			
Design Mark				
Description of Mark	NONE			
Goods/Services	Class 009. First use: First Use: 1966/08/01 First Use In Commerce: 1966/08/01 BATTERIES, FUSES, ELECTRICAL CABLES, CONDUITS, FASTENERS AND TERMINALS; SWITCHES, ENGINE STARTING SYSTEMS, SPARK PLUGS,SPARK PLUG FIRING INDICATORS, LOAD SIGNAL SYSTEMS, FLASHERS, BRAKE ACCUMULATOR BUZZERS, LOW AIR PRESSURE ALARMS, TURN SIGNAL FLASHERS, SPEEDOMETERS, ODOMETERS,TIRE WEAR GAUGES, TIRE PRESSURE GAUGES,HYDRAULIC SYSTEM FILTER INDICATORS, AIRCLEANER SERVICE INDICATORS, FUEL PRESSURE GAUGES, ENGINE OIL PRESSURE GAUGES, TORQUE CONVERTER TEMPERATURE GAUGES, WATER TEMPERATURE GAUGES, AND SERVICE METERS			

U.S. Registration No.	1579437	Application Date	11/07/1988
Registration Date	01/23/1990	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 037. First use: First Use: 1988/10/20 First Use In Commerce: 1988/10/20 MAINTENANCE AND REPAIR SERVICES IN THE FIELD OF INTERNAL COMBUSTION ENGINES, VEHICLES AND POWER EQUIPMENT; NAMELY TRUCKS, TRACTORS, ENGINES, EARTHMOVING EQUIPMENT, MATER HANDLING EQUIPMENT, PAVING EQUIPMENT, AGRICULTURAL EQUIPMENT, GENERATORS, AND CONTROL UNITS FOR THE AFOREMENTIONED		E FIELD OF INTERNAL 'ER EQUIPMENT; NAMELY NG EQUIPMENT, MATER IAL , AGRICULTURAL

U.S. Registration No.	2140606	Application Date	02/05/1997
Registration Date	03/03/1998	Foreign Priority Date	NONE
Word Mark	CAT		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 007. First use: First Use: 1988/07/13 First Use In Commerce: 1988/10/20
	machinery for earth moving, earth conditioning and material handling, namely, loaders and engines therefor, and parts for vehicle and internal combustion engines
	Class 012. First use: First Use: 1988/07/13 First Use In Commerce: 1988/10/20
	vehicles for earth and material haulingand handling, namely, tractors and engines therefor

U.S. Registration No.	2364591	Application Date	08/30/1999
Registration Date	07/04/2000	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark			,
Description of Mark	NONE		
Goods/Services	Class 035. First use: First	Use: 1996/12/00 First L	Jse In Commerce: 1996/12/0
	BUSINESS MANAGEMENT AND CONSULTATION SERVICES, NAMELY, PRODUCT DISTRIBUTION OPERATIONS MANAGEMENT SERVICES; LOGISTICS CONSULTING SERVICES, NAMELY, PROVIDING CONTRACT LOGISTICS SERVICES AND CONSULTINGIN THE AREAS OF INVENTORY MANAGEMENT FREIGHT TRANSPORTATION MANAGEMENT, WAREHOUSE AND PRODUCT DISTRIBUTION OPERATIONS MANAGEMENT		
	Class 039. First use: First	Use: 1996/12/00 First L	Jse In Commerce: 1996/12/0
	warehousing services		
	Class 042. First use: First Use: 1996/12/00 First Use In Commerce: 1996/12/00		
	DESIGN OF COMPUTER	IZED INFORMATION S	YSTEMS FOR MANAGING

U.S. Registration No.	2364592	Application Date	08/30/1999
Registration Date	07/04/2000	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark	CAT	1	
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1996/12/00 First Use In Commerce: 1996/12/00 Business management and consultation services, namely, product distribution operations management services; logistics consulting services, namely, providing contract logistics services and consultingin the areas of inventory management, freight transportation management, warehouse and product distribution operations management and designing and managing complete logistics solutions for others Class 039. First use: First Use: 1996/12/00 First Use In Commerce: 1996/12/00 warehousing services Class 042. First use: First Use: 1996/12/00 First Use In Commerce: 1996/12/00 Design of computerized information systems for managing logistics and product distribution processes for others		

U.S. Registration No.	2421077	Application Date	11/12/1999
Registration Date	01/16/2001	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 007. First use: First Us HYDRAULIC EXCAVATORS		se In Commerce: 1988/10/20 EXCAVATORS; WHEELED

EXCAVATORS; FRONT SHOVELS; BACKHOE LOADERS; SKID STEER LOADERS: COMPACT WHEEL LOADERS; WHEEL LOADERS; INTEGRATED TOOLCARRIERS; TELESCOPIC HANDLERS; TRACK LOADERS; WHEEL TRACTOR-SCRAPERS; TRACK-TYPE TRACTORS; WHEEL DOZERS; MOTOR GRADERS; SOIL COMPACTORS; COLD PLANERS; ROAD RECLAIMERS; ASPHALT PAVERS; VIBRATORY COMPACTORS; MARINE ENGINES; INDUSTRIAL ENGINES; DIESEL GENERATOR SETS; GAS GENERATOR SETS; DEMOLITION MACHINES AND SCRAP MATERIAL HANDLERS FOR USE THEREWITH, namely, BLADES, BUCKETS, CRUSHERS, GRAPPLERS, HAMMERS, HYDRAULIC BROOMS, MOBILE SHEARS, PALLET FORKS; PULVERIZERS, AND RAKES; LOG LOADERS; [ COMBINES; ] PIPELAYERS; MINING SHOVELS; WASTE HANDLING MACHINES; AND PARTS FOR ALL THE ABOVE Class 012. First use: First Use: 1988/07/13 First Use In Commerce: 1988/10/20 off-highway trucks; articulated trucks; truck engines; agricultural tractors; and parts for all the above

ye		-	
U.S. Registration No.	4193027	Application Date	06/23/2011
Registration Date	08/21/2012	Foreign Priority Date	NONE
Word Mark	CATERPILLAR		
Design Mark	CATERPILLAR		
Description of Mark	NONE		
Goods/Services	Class 007. First use: First Use: 1910/00/00 First Use In Commerce: 1910/00/00 Engines, other than for land vehicles; engines not for land vehicles, compressors for machines, electricity generators, and pumps for machines, for use in agriculture, compaction, construction, demolition, earth conditioning, earth contouring, earth moving, forestry, landscaping, lawn care, lifting, marine propulsion, material handling, mining, oil and gas production, paving, pipelaying, power generation, and road building and repair; machines and machine tools for use in agriculture, compaction, construction, demolition, earth conditioning, earth contouring, earth moving, forestry, landscaping, lawn care, lifting, marine propulsion, material handling, mining, oil and gas production, paving, pipelaying, power generation, and road building and repair  Class 012. First use: First Use: 1910/00/00 First Use In Commerce: 1910/00/00  Land vehicles for use in agriculture, compaction, construction, demolition, earth conditioning, earth contouring, earthmoving, forestry, landscaping, lawn care, lifting, marine propulsion, material handling, mining, oil and gas production, paving, pipelaying, power generation, and road building and repair; locomotives; engines for land vehicles		

U.S. Registration	277417	Application Date	03/24/1930
No.			

Registration Date	11/11/1930	Foreign Priority Date	NONE	
Word Mark	CATERPILLAR			
Design Mark	CATE	RPII	LAR	
Description of Mark	NONE			
Goods/Services	Class 012. First use: First Use: 1904/09/00 First Use In Commerce: 1904/09/00 TRACTORS, TRACTOR ENGINES, TRACK LINKS,TRACK SHOES, GROUSERS, GREASE GUNS; [ AGRICULTURAL MACHINERY TOOLS, AND EQUIPMENT- NAMELY, COMBINED HARVESTERS, WINDROWERS, PICK-UP MACHINERY GRAIN CLEANERS, GRAIN GRADERS, AND THRESHING MACHINES; ] ROAD CONSTRUCTION AND MAINTENANCE MACHINERY, TOOLS, AND EQUIPMENT-NAMELY, GRADERS, [ ELEVATING GRADERS, ROAD PLANERS, ] SCARIFIERS, PLOWS, LOGGING MACHINERY, TOOLS, AND EQUIPMENT-NAMELY, LOGGING ENGINES, [ WINCHES, LOG HOISTS, AND BUMMERS; ] AND THE PARTS FOR ALL SAID GOODS			

Attachments	71049020#TMSN.gif( bytes ) 71386675#TMSN.gif( bytes ) 72452924#TMSN.gif( bytes ) 72452923#TMSN.gif( bytes ) 73762371#TMSN.gif( bytes ) 75236985#TMSN.gif( bytes ) 75788362#TMSN.gif( bytes ) 75788387#TMSN.gif( bytes ) 75830492#TMSN.gif( bytes ) 85354196#TMSN ipeg( bytes )
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	71297791#TMSN.gif( bytes ) 85_814,584 TIGERCAT OPPOSITION.pdf(4911316 bytes )

## **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Overnight Courier on this date.

Signature	/Christopher P. Foley/
Name	Christopher P. Foley
Date	11/20/2013

# EXHIBIT I

## UNITED STATES DISTRICT COURT

for the

Eastern District of Texas

	CATERE	PILLAR INC.	)			
	Pl	laintiff	)		TTADO	N- 04040E07
		V.	)	Civil Action No.	TTAB Opposition	No. 91213597
TIG	ERCAT INT	ERNATIONAL INC.	)			
	De	fendant	— j			
	SU	BPOENA TO TESTIFY	' AT A DEPO	SITION IN A CIV	VIL ACTION	
o:	M	Ir. Terry Moren, President	of Precision E	arth Movers, LLC o	of Longview, Texas	
****		(Name of p	person to whom th	is subpoena is directed	)	· Ann Andrews Comment
r managing lose set fort ne depositio	agents, or de	nducted in person or by tel	o consent to te	stify on your behal	f about the followin	g matters, or
Place:				Date and Time:		
	,	tes Court Reporting Agend 211, Longview, TX 75604	•	(	07/08/2015 10:00 ar	n 
The	deposition w	vill be recorded by this me	ethod: stenog	graphic means		
elect	tronically sto erial:	u, or your representatives, bred information, or object tached rider.	must also brin	g with you to the cormit inspection, co	pying, testing, or sa	mpling of the
	following n	rovisions of Fed. R. Civ. Pour protection as a person	. 45 are attach	ed – Rule 45(c), re	lating to the place o	f compliance;
Rule 45(d), 1	relating to yo	and the potential consequ			(3)	g to your duty to
Rule 45(d), respond to the	relating to yo				(7)	g to your duty to
Rule 45(d), a espond to th	relating to yo his subpoena			oing so.		g to your duty to
Rule 45(d), respond to the	relating to yo his subpoena	and the potential consequ		oing so. OR		21
Rule 45(d), respond to the	relating to yo his subpoena	and the potential consequ	nences of not d	oing so. OR	Soby & Jawh Attorney's signo	- Amery

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. TTAB Opposition No. 91213597

#### PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

(date)	•			
☐ I served the su	bpoena by delivering a copy to the name	ned individual as follow	s:	······································
	·	on (date)	; or	
☐ I returned the	subpoena unexecuted because:			
tendered to the w	ena was issued on behalf of the United itness the fees for one day's attendance			
fees are \$	for travel and \$	for services, fo	or a total of \$	0.00
I declare under p	enalty of perjury that this information i	s true.		
e:	<u> </u>	Server's signa	ture	
		Printed name an	d title	

Additional information regarding attempted service, etc.:

#### Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

#### (c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

#### (2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
  - (B) inspection of premises at the premises to be inspected.

#### (d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

#### (2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

#### (3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
  - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
  - (iv) subjects a person to undue burden.
- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or
- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
  - (ii) ensures that the subpoenaed person will be reasonably compensated.

#### (e) Duties in Responding to a Subpoena.

- Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- (D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

#### (2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
  - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

#### (g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

#### RIDER TO SUBPOENA DUCES TECUM – TERRY MOREN

#### **Definitions**

- 1. The term "Applicant," as used herein, shall mean Tigercat International Inc.
- 2. The term "Opposer," as used herein, shall mean Caterpillar Inc.
- 3. "You" or "your" shall mean Terry Moren and Precision Earth Movers, LLC.
- 4. The term "Case" shall refer to Caterpillar Inc. v. Tigercat International Inc., Opposition No. 91213597, pending at the Trademark Trial and Appeal Board of the United States Patent and Trademark Office.
- 5. The term "Report" as used herein, shall mean your report dated April 4, 2015, attached hereto as Exhibit A.
- 6. The term "Opposer's Goods and Services" as used herein, shall mean the goods and services listed in the registrations relied upon by Opposer in this Case, and attached hereto as Exhibit B.

#### Instructions

This request is being made for all documents and/or other tangible things (including but not limited to documents, materials, data or other information relied upon by you in forming the opinions set forth in your Report in this Case). To the extent that documents or tangible things are in your possession or control for which you claim attorney/client privilege or attorney work product, produce a privilege log that describes each document or tangible thing that sets forth the following: (1) date of document or tangible thing; (2) description; (3) identity of the author; (4) the person(s) to whom the document or tangible thing is addressed or copied; and (5) privilege under which you claim the document or tangible thing is protected from disclosure.

#### Kindly produce the following:

- 1. All documents and tangible things relied upon by you as support for each opinion in your Report.
- 2. All documents and tangible things reviewed by you to prepare for your deposition in this Case.
- 3. A comprehensive list of all depositions and trial testimony given by you during the last four years, including any court identifiers and names of opposing counsel.

- 4. All publications authored by you or in conjunction with others, in the last ten years, concerning "heavy equipment", "equipment", "heavy machinery", or "machine(s)", as you use those terms in Paragraphs 2, 3, 4, 5, 7 and 9 of your Report.
- 5. All publications authored by you or in conjunction with others, in the last ten years, concerning "equipment used exclusively for forestry and vegetation management applications", as you use those terms in Paragraph 7 of your Report.
- 6. All publications authored by you or in conjunction with others, in the last ten years, concerning "heavy equipment", "equipment", "heavy machinery", or "machine(s)", as you use those terms in Paragraphs 2, 3, 4, 5, 7 and 9 of your Report, manufactured by Caterpillar or bearing the CAT name or mark.
- 7. All publications authored by you or in conjunction with others, in the last ten years, concerning "heavy equipment", "equipment", "heavy machinery", or "machine(s)" as you use those terms in Paragraphs 2, 3, 4, 5, 7 and 9 of your Report, manufactured by an entity other than Caterpillar and bearing a mark or name other than CAT or Caterpillar, such as the John Deere name or mark, Vermeer name or mark, Gradall name or mark, Komatsu name or mark, Case name or mark, or the Tigercat name or mark.
- 8. A comprehensive list of all interviews, lectures, speeches, appearances or presentations you have given, in the last ten years, referring or relating to "heavy equipment", "equipment", "heavy machinery", or "machine(s)", as you use those terms in Paragraphs 2, 3, 4, 5, 7 and 9 of your Report and the related documents and tangible things, including but not limited to the interview transcripts, lecture notes, speech notes, or any recordings of the same.
- 9. A comprehensive list of all interviews, lectures, speeches, appearances or presentations you have given, in the last ten years, referring or relating to "equipment used exclusively for forestry and vegetation management applications", as you use those terms in Paragraph 7 of your Report, and the related documents and tangible things, including but not limited to the interview transcripts, lecture notes, speech notes, or any recordings of the same.
- 10. A comprehensive list of all interviews, lectures, speeches, appearances or presentations you have given, in the last ten years, referring or relating to "heavy equipment", "equipment", "heavy machinery", or "machine(s)" as you use those terms in Paragraphs 2, 3, 4, 5, 7 and 9 of your Report, manufactured by Caterpillar or bearing the CAT name or mark and the related documents and tangible things, including but not limited to the interview transcripts, lecture notes, speech notes, or any recordings of the same.
- 11. A comprehensive list of all interviews, lectures, speeches, appearances or presentations you have given, in the last ten years, referring or relating to "heavy equipment", "equipment", "heavy machinery", or "machine(s)" as you use those terms in Paragraphs 2, 3, 4, 5, 7 and 9 of your Report, manufactured by an entity other than Caterpillar and bearing a mark or name other than CAT or Caterpillar, such as the John Deere name or

mark, Vermeer name or mark, Gradall name or mark, Komatsu name or mark, Case name or mark, or the Tigercat name or mark and the related documents and tangible things, including but not limited to the interview transcripts, lecture notes, speech notes, or any recordings of the same.

- Documents sufficient to identify any research regarding or relating to "heavy equipment", "equipment", "heavy machinery", or "machine(s)", as you use those terms in Paragraphs 2, 3, 4, 5, 7 and 9 of your Report which you have performed or caused to be performed in the last ten years.
- 13. Documents sufficient to identify any research you have performed or caused to be performed in the last ten years in connection with "equipment used exclusively for forestry and vegetation management applications", as you use those terms in Paragraph 7 of your Report.
- 14. Documents sufficient to identify any research you have performed or caused to be performed in the last ten years in connection with "heavy equipment", "equipment", "heavy machinery", or "machine(s)" as you use those terms in Paragraphs 2, 3, 4, 5, 7 and 9 of your Report, manufactured by Caterpillar or bearing the CAT name or mark.
- 15. Documents sufficient to identify any research you have performed or caused to be performed in the last ten years in connection with "heavy equipment", "equipment", "heavy machinery", or "machine(s)" as you use those terms in Paragraphs 2, 3, 4, 5, 7 and 9 of your Report, manufactured by an entity other than Caterpillar and bearing a mark or name other than CAT or Caterpillar, such as the John Deere name or mark, Vermeer name or mark, Gradall name or mark, Komatsu name or mark, Case name or mark, or the Tigercat name or mark.
- 16. Documents sufficient to show the inventory of Caterpillar "heavy equipment, "CAT machines" or "CAT equipment" owned, leased or operated by you or your company or at your request or direction, during the last ten years, as described in Paragraphs 3, 4, 5, 8, and 9 of your Report.
- 17. Documents sufficient to show the inventory of Caterpillar "heavy equipment, "CAT machines" or "CAT equipment" owned, leased or operated by you or your company or at your request or direction, during the last ten years, as described in Paragraphs 3, 4, 5, 8, and 9 of your Report.
- 18. Documents sufficient to show the catalogues or other product literature that you have used, reviewed or retained during the last ten years that refer or relate to Caterpillar "heavy equipment, "CAT machines" or "CAT equipment", as described in Paragraphs 3, 4, 5, 8, and 9 of your Report.
- 19. Documents sufficient to show the catalogues or other product literature that you have used, reviewed or retained during the last ten years that refer or relate to heavy machinery

- manufactured by Tigercat or sold under the TIGERCAT mark or name, as you use those terms in Paragraphs 7, 8 and 9 of your Report.
- 20. Documents sufficient to show the catalogues or other product literature that you have used, reviewed or retained during the last ten years that refer or relate to heavy machinery, heavy equipment, heavy machinery or machines not manufactured by Tigercat or Caterpillar.
- 21. Documents sufficient to show the terms of purchase, lease or operation for the "CAT machines" owned, leased or operated by you, for the last ten years, as described in Paragraphs 3 and 4 of your Report.
- 22. Documents sufficient to show the terms of purchase, lease or operation for the machines, not manufactured by Caterpillar, owned, leased or operated by you for the last ten years.
- 23. Documents sufficient to show the terms of any agreement between you and Opposer regarding or relating to your promotion of Opposer's Goods and Services.
- 24. Documents sufficient to show the terms of any agreement between you and Opposer regarding or relating to promotion of you or your products or services and Opposer and Opposer's Goods and Services.
- 25. Documents sufficient to show the inventory of machines, not manufactured by Caterpillar, owned, leased or operated by you for the last ten years that are yellow.
- 26. Documents sufficient to show the terms of any agreement between you and your local dealer for Opposer regarding or relating to your promotion of Opposer's Goods and Services.
- 27. Documents sufficient to show the terms of any agreement between you and your local dealer for Opposer regarding or relating to your promotion of your local dealer of Opposer, your local dealer's products or your local dealer's services.
- 28. Documents sufficient to show the terms of any agreement between you and your local dealer for Opposer regarding or relating to promotion of you or your products or services and Opposer and Opposer's Goods and Services.
- 29. Documents sufficient to show the terms of any agreement between you and your local dealer for Opposer regarding or relating to promotion of you or your products or services and your local dealer for Opposer and your local dealer for Opposer's products and services.
- 30. Documents sufficient to show the nature and extent of your familiarity with and your understanding of "Tigercat and their equipment" and "Tigercat and their forestry machines", as you use those terms in Paragraphs 7 and 8 of your Report.

- 31. Documents sufficient to show or otherwise identify all of the "Tigercat equipment" and "Tigercat forestry machines" of which you are aware as you use those terms in Paragraphs 7 and 8 of your Report and the purposes, functions or applications for which such "Tigercat equipment" is or may be used.
- 32. Documents sufficient to show the terms of purchase, lease or operation for any "Tigercat equipment" or "Tigercat forestry machines" owned, leased or operated by you, in the last ten years.
- 33. Documents and tangible things sufficient to show the "clearing land" projects on which you have worked, as you describe such projects in Paragraph 4 of your Report.
- 34. All documents and tangible things that you reviewed or relied upon as the basis for your assertion: ".. my understanding is that their (Tigercat) equipment is used exclusively for forestry and vegetation management applications", as set forth in Paragraph 7 of your Report.
- 35. All documents and tangible things that you reviewed or relied upon as the basis for your assertion: ".. most people involved with heavy machinery associate the name Tigercat exclusively with the forestry field", as set forth in Paragraph 7 of your Report.
- 36. All documents and tangible things that you reviewed or relied upon as the basis for your assumption and assertion: "I would assume based on the fact that the Tigercat name contains the CAT mark, that Tigercat was associated in some way with Caterpillar or that Tigercat has permission from Caterpillar to be using the name Tigercat", as set forth in Paragraph 8 of your Report.
- 37. All documents and tangible things that you reviewed or relied upon as the basis for your assumption and assertion: "I expect that others in the industry would make similar assumptions", as set forth in Paragraph 8 of your Report.
- 38. All documents and tangible things that you reviewed or relied upon as the basis for your assertion: "People almost always refer to Caterpillar equipment as CAT", as set forth in Paragraph 9 of your Report.
- 39. All documents and tangible things that you reviewed or relied upon as the basis for your assumption and assertion: "I would expect that the Tigercat name has the same effect on others", as set forth in Paragraph 9 of your Report.
- 40. All documents and tangible things that you reviewed or relied upon as the basis for your assertion: "...the CAT mark is so well-known across a wide variety of industries", as set forth in Paragraph 9 of your Report.
- 41. All documents and tangible things that you reviewed or relied upon as the basis for your assertion regarding: "...the value of the CAT brand...", as set forth in Paragraph 9 of your Report.

- 42. A comprehensive list of courses, classes, seminars or other educational programs you have taken in marketing and marketing research, and documents identifying the scope of the courses, classes, seminars or other educational programs you have taken in marketing and market research.
- 43. A comprehensive list of courses, classes, seminars or other educational programs you have taken in linguistics and linguistic research, and documents identifying the scope of the courses, classes, seminars or other educational programs you have taken in linguistics and linguistic research.
- 44. A comprehensive list of courses, classes, seminars or other educational programs you have taken in branding, brand marketing, brand valuation, branding research, brand marketing research, brand valuation research, and documents identifying the scope of the courses, classes, seminars or other educational programs you have taken in branding, brand marketing, brand valuation, branding research, brand marketing research, and brand valuation research.
- 45. A comprehensive list of accreditations, certificates, credentials or other indicia of professionalism you have had or currently have with respect to branding, brand marketing, brand valuation, branding research, brand marketing research, brand valuation research, and documents identifying the issuing organization, the date of issuance and the current status of the same.
- A comprehensive list of your current or expired membership in professional associations and professional organizations relater to branding, brand marketing, brand valuation, branding research, brand marketing research, brand valuation research, and documents identifying the association or organization, the initial date of your membership and the current status of the same.
- 47. A comprehensive list of courses, classes, seminars or other educational programs you have taken in trademarks and trademark law, and documents identifying the scope of the courses, classes, seminars or other educational programs you have taken in trademarks and trademark law.
- 48. Documents sufficient to show the machinery or equipment bearing the name or mark "BOBCAT" of which you are aware.
- 49. Documents sufficient to show the machinery or equipment bearing the name or mark "ARCTIC CAT" of which you are aware.
- 50. Documents sufficient to show the machinery or equipment bearing the name or mark "ECHO BEAR CAT" or "BEAR CAT" of which you are aware.
- 51. Documents sufficient to show the machinery or equipment bearing the name or mark "TIGER TRAIL CAT" or "TRAIL CAT" of which you are aware.

- Documents sufficient to identify any research which you have performed or caused to be performed in the last five years regarding or relating to the use, purpose, function, application or versatility of Caterpillar "heavy equipment, "CAT machines", or "CAT equipment", as described in Paragraphs 3, 4, 5, 8, and 9 of your Report.
- Documents sufficient to identify any research which you have performed or caused to be performed in the last five years regarding or relating to the use, purpose, function, application or versatility of machines not manufactured by Caterpillar which have similar use, purpose, function, application or versatility to the Caterpillar "heavy equipment", "CAT machines", or "CAT equipment", as described in Paragraphs 3, 4, 5, 8, and 9 of your Report.
- Documents sufficient to identify any research which you have performed or caused to be performed in the last five years regarding or relating to the use, purpose, function, application or versatility of machines manufactured by Tigercat which have similar use, purpose, function, application or versatility to the Caterpillar "heavy equipment, "CAT machines", or "CAT equipment", as described in Paragraphs 3, 4, 5, 8, and 9 of your Report.
- 55. Documents sufficient to identify any research performed by third parties regarding or relating to the use, purpose, function, application or versatility of machines manufactured by Tigercat which have similar use, purpose, function, application or versatility to the Caterpillar "heavy equipment, "CAT machines", or "CAT equipment", as described in Paragraphs 3, 4, 5, 8, and 9 of your Report, which you reviewed in preparing your Report
- 56. Documents sufficient to identify any research performed by Opposer regarding or relating to the use, purpose, function, application or versatility of machines manufactured by Tigercat which have similar use, purpose, function, application or versatility to the Caterpillar "heavy equipment, "CAT machines", or "CAT equipment", as described in Paragraphs 3, 4, 5, 8, and 9 of your Report, which you reviewed in preparing your Report
- 57. Documents sufficient to show any heavy machinery customer research of which you are aware, other than customer satisfaction surveys.
- 58. Documents sufficient to show the warranties for the Caterpillar "heavy equipment", "CAT machines" or "CAT equipment" which you use in your business.
- 59. Documents sufficient to show the warranty claims you have made in the last five years in connection with Caterpillar "heavy equipment", "CAT machines" or "CAT equipment".

# EXHIBIT A

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

CATERPILLAR INC.,

Opposer,

V.

TIGERCAT INTERNATIONAL INC.,

Applicant.

Opposition No. 91213597

Mark: TIGERCAT

Application Serial No. 85/814,584

Filing Date: January 3, 2013

## EXPERT REPORT OF TERRY MOREN

- 1. I am the owner of Precision Earth Movers, LLC of Longview, Texas, a company I founded in late 2007. Our company is in the excavation business. Among other things, I clear land, build house pads, and do excavation work to address drainage issues.
- 2. I graduated from Texas A&M University in 1975 with a bachelor's degree in horticulture. I also have a certificate in heavy equipment operation from the Oklahoma College of Construction, which I obtained in 2005.
- 3. I have been involved with buying and using heavy equipment my whole life. For about 25 years (i.e., 1975 2000), I was involved in the agriculture and dirt business, which included expanding my family's cattle operations. During that time, I used John Deere tractors, disc ploughs, and hay equipment, Vermeer balers, and CAT front end loaders, track loaders, and dozers. During my time at the Oklahoma College of Construction, I also gained experience with various excavators, dozers backhoe loaders, scrapers, and graders. The college rented all of the

equipment used in the program from a CAT dealer in Oklahoma City. With the exception of a Gradall excavator and a Komatsu dozer and backhoe loader, I believe all of the equipment used in the program was CAT equipment.

- 4. I started doing dirt work exclusively starting in 2000. Since that time, I have used heavy equipment to complete a wide range of commercial and residential projects around Longview, Texas including building farm ponds, doing various types of drainage work, building pads (including a 50,000 square foot pad for a commercial storage facility), and clearing land. I have used John Deere, Case, and CAT equipment for this work—mostly excavators and dozers. When clearing land, I clear trees and vegetation using a CAT excavator and a CAT dozer. I currently own a CAT dozer, excavator, compactor, and a compact track loader.
- 5. Based on my 40 years of experience in the dirt and excavation business, I believe I am qualified to give opinions as an expert with respect to equipment used in excavation, drainage, and land clearing work, as well as how various product brands are perceived within these industries.
- 6. I was contacted by Naresh Kilaru of Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P., counsel for Caterpillar, with respect to serving as an industry expert in connection with a trademark proceeding pending before the Trademark Trial and Appeal Board. It is my understanding the proceeding involves an application to register the name TIGERCAT by a Canadian company called Tigercat International Inc. for "off road industrial vehicles, namely, skidders and purpose-built prime movers, carrying aerial devices, mulchers and sprayers."
- 7. I recall seeing a piece of Tigercat equipment a few years ago. I believe it was either a skidder or a mulcher. Although I have never used a piece of Tigercat equipment, my

understanding is that their equipment is used exclusively for forestry and vegetation management applications. I have always associated the Tigercat name with forestry machines. In my experience, most people involved with heavy machinery associate the name Tigercat exclusively with the forestry field.

- 8. It is well known that Caterpillar is heavily involved in a wide range of industries construction, oil and gas, power generation, mining, you name it. If I saw a Tigercat-branded off-road vehicle, like a track loader or excavator, I would assume based on the fact that the Tigercat name contains the CAT mark, that Tigercat was associated in some way with Caterpillar, or that Tigercat had permission from Caterpillar to be using the name Tigercat. I expect that others in the industry would make similar assumptions.
- 9. People almost always refer to Caterpillar equipment as CAT. When I see or hear the name Tigercat being used in connection with heavy equipment, the "CAT" portion of the name immediately sticks out in my mind first and foremost, and that causes me to associate Tigercat with Caterpillar's CAT brand. I would expect that the Tigercat name has the same effect on others. Because the CAT mark is so well-known across a wide variety of industries, in my opinion the use of the CAT mark by Tigercat capitalizes on the value of the CAT brand and diminishes people's ability to associate the CAT mark with a single company.
- 10. I am being compensated at a rate of \$125 per hour. My compensation is in no way based upon the outcome of this litigation. I have not testified as an expert in any cases in the last four years.

By: Nove

Terry Moren

Date: April 4, 2015

# EXHIBIT B

Filing date:

ESTTA Tracking number:

ESTTA572079

11/20/2013

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## **Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

## Opposer Information

Name	Caterpillar, Inc.
Granted to Date of previous extension	11/20/2013
Address	100 N.E. Adams Street Peoria, IL 61629 UNITED STATES

Attorney	Christopher P. Foley
information	FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER L.L.P.
	901 New York Avenue, N.W.
	Washington, DC 20001
	UNITED STATES
	christopher.foley@finnegan.com, laura.johnson@finnegan.com, boston-
	ttab-notifications@finnegan.com, docketing@finnegan.com
	Phone:202.408.4000

## **Applicant Information**

Application No	85814584	Publication date	07/23/2013
Opposition Filing Date	11/20/2013	Opposition Period Ends	11/20/2013
Applicant	Tigercat International Inc. P.O. Box 637 Brantford, Ontario, CAX N3T5 CAX	5P9	

## Goods/Services Affected by Opposition

Class 012. First Use: 2000/07/17 First Use In Commerce: 2000/07/17
All goods and services in the class are opposed, namely: Off road industrial vehicles, namely, skidders and purpose-built prime movers, carrying aerial devices, mulchers and sprayers

## Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

## Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	79056	Application Date	04/11/1910
Registration Date	08/02/1910	Foreign Priority Date	NONE

Word Mark	CATERPILLAR	
Design Mark	CATERPILLAR	
Description of Mark	NONE	
Goods/Services	Class 012. First use: First Use: 1904/09/01 First Use In Commerce: 1904/09/01 TRACTION-ENGINES [ AND HARVESTERS ]	

U.S. Registration	345499	Application Date	12/12/1936
No.	343433	Application Date	12/12/1350
Registration Date	04/27/1937	Foreign Priority Date	NONE
Word Mark	CATERPILLAR		
Design Mark	CATE	RPII	LAR
Description of Mark	NONE		
Goods/Services	Use In Commerce: 1904/09/0 TRACTORS ADAPTED TO E ROAD BUILDING, MINING, L OTHER INDUSTRIAL AND A COMBUSTION ENGINES AD OF POWER FORSELF-PRO PORTABLE POWER UNITS POWER AND MANUALLY C PLANERS, SCARIFIERS, LE GRADERS, SCRAPERS, BU BANK CUTTERS, AND BAC THE CONSTRUCTION AND REMOVING OF EARTH, SNO	E EMPLOYED IN FA LOGGING, EARTH M GRICULTURAL PUF DAPTED FOR EMPLO PELLED VEHICLES, FOR INDUSTRIAL A ONTROLLED GRAD ANING WHEEL GRAD LLDOZERS, LEVELE K SLOPERS ADAPT MAINTENANCE OF OW, AND LIKE MATI THER INDUSTRIAL IARVESTERS, MOW WINDROW PICK-UF LL OF SAID PRODU	MOVING, HAULING, AND FOR RPOSES; INTERNAL OYMENT AS THE SOURCE AND AS STATIONARY OR IND AGRICULTURAL USES; ERS, TERRACERS, ADERS, ELEVATING ERS, PLOWS, DITCHERS, ED TO BE EMPLOYED FOR ROADS, FOR MOVING AND ERIALS, FOR PREVENTING AND AGRICULTURAL USES; ERS, PUSH RAKES, PS; IMPLEMENT HITCHES; CTS AND ATTACHMENTS,

U.S. Registration No.	564272	Application Date	03/10/1949
Registration Date	09/23/1952	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 007. First use: First Use: 1949/02/17 First Use In Commerce: 1949/02/17		

DUMP-WAGONS, WHEEL TRACTOR-DUMP-WAGON COMBINATIONS, AND STRUCTURAL PARTS FOR SUCH PRODUCTSDIESEL AND OTHER INTERNAL COMBUSTION ENGINES ADAPTED FOR EMPLOYMENT AS THE SOURCE OF POWER FOR SELF-PROPELLED VEHICLES AND AS STATIONARY OR PORTABLE POWER UNITS FOR INDUSTRIAL, MARINE AND AGRICULTURAL USES; SCRAPING, CARRYING AND DUMPING UNITS ADAPTED TO BE EMPLOYED FOR SCRAPINGAND COLLECTING EARTH, ROCK, OR LIKE MATERIALS AND TRANSPORTING AND DUMPING SAIDMATERIALS; POWER AND MANUALLY CONTROLLED GRADERS, SCARIFIERS, SCRAPERS, AND RIPPERS ADAPTED TO BE EMPLOYED FOR THE CONSTRUCTION AND MAINTENANCE OF ROADS, FOR MOVING AND REMOVING OF EARTH, ROCK, SNOW AND LIKE MATERIALS, FOR PREVENTING SOIL EROSION AND FOR OTHER INDUSTRIAL AND AGRICULTURAL USES; TRACTORS FOR INDUSTRIAL AND AGRICULTURAL PURPOSES; AND PARTS ANDSERVICE TOOLS FURNISHED WITH SAID PRODUCTS Class 012. First use: First Use: 1948/12/09 First Use In Commerce: 1948/12/09

Class 012. First use: First Use: 1948/12/09 First Use In Commerce: 1948/12/09 ELECTRIC GENERATORS AND DIESEL ELECTRIC ELECTRIC GENERATOR SETS, AND PARTS FURNISHED WITH SAID PRODUCTS

U.S. Registration No.	770639	Application Date	07/31/1963	
Registration Date	06/02/1964	Foreign Priority Date	NONE	
Word Mark	CAT			
Design Mark				
Description of Mark	NONE			
Goods/Services	Class 012. First use: First Use: 1949/02/17 First Use In Commerce: 1949/02/17			
	Motor Trucks, Dump Wagons, Wheel Tractor-Dump Wagon Combinations, Wheel Tractors, and Parts Therefor			

U.S. Registration No.	777703	Application Date	11/20/1963
Registration Date	09/29/1964	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark	and the second of the second o		
Description of Mark	NONE		
Goods/Services	Class 004. First use: First Use: 1962/11/27 First Use In Commerce: 1962/11/27 Anti-Seize and Sealing Lubricant		

U.S. Registration No.	778638	Application Date	03/12/1963
Registration Date	10/13/1964	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark			
Description of Mark	NONE	No. 400 (1970)	
Goods/Services	Class 037. First use: First Use: 1951/00/00 First Use In Commerce: 1951/00/00		

	Service, Maintenance and Re Equipment and Control Units	pair of Trucks, Tracto Therefor, Generators	ors, Engines, Earthmoving and Agricultural Equipment
U.S. Registration No.	871146	Application Date	06/03/1968
Registration Date	06/17/1969	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 006. First use: First Us HOSE COUPLINGS Class 017. First use: First Us HYDRAULIC HOSE; SEALS	e: 1967/04/12 First U	se In Commerce: 1967/04/27
U.S. Registration No.	984444	Application Date	03/29/1973
Registration Date	05/21/1974	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark	CAT		
Description of Mark	NONE		
Goods/Services	Class 007. First use: First Us LIFT TRUCKS, AND ENGIN		se In Commerce: 1973/01/30 AND PARTS THEREFOR
U.S. Registration No.	985439	Application Date	03/29/1973
Registration Date	06/04/1974	Foreign Priority Date	NONE
Word Mark	CATERPILLAR		
Design Mark	CATEF	RPILLAR	
Description of Mark	NONE		
Goods/Services	Class 007. First use: First Use LIFT TRUCKS, AND ENGIN		Jse In Commerce: 1970/09/00 AND PARTS THEREFOR

U.S. Registration No.	1023137	Application Date	09/24/1973
Registration Date	10/21/1975	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1966/08/01 First Use In Commerce: 1966/08/01 BATTERIES, FUSES, ELECTRICAL CABLES, CONDUITS, FASTENERS AND TERMINALS; SWITCHES, ENGINE STARTING SYSTEMS, SPARK PLUGS,SPARK PLUG FIRING INDICATORS, LOAD SIGNAL SYSTEMS, FLASHERS, BRAKE ACCUMULATOR BUZZERS, LOW AIR PRESSURE ALARMS, TURN SIGNAL FLASHERS, SPEEDOMETERS, ODOMETERS, TIRE WEAR GAUGES, TIRE PRESSURE GAUGES,HYDRAULIC SYSTEM FILTER INDICATORS, AIRCLEANER SERVICE INDICATORS, FUEL PRESSURE GAUGES, ENGINE OIL PRESSURE GAUGES, TORQUE CONVERTER TEMPERATURE GAUGES, WATER TEMPERATURE GAUGES, AND SERVICE METERS		

U.S. Registration No.	1579437	Application Date	11/07/1988
Registration Date	01/23/1990	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark			
Description of Mark	NONE		
Goods/Services	MAINTENANCE AND REPAI COMBUSTION ENGINES, VI	R SERVICES IN THI EHICLES AND POW INES, EARTHMOVIN AVING EQUIPMENT	ER EQUIPMENT; NAMELY NG EQUIPMENT, MATER IAL , AGRICULTURAL

U.S. Registration No.	2140606	Application Date	02/05/1997
Registration Date	03/03/1998	Foreign Priority Date	NONE
Word Mark	CAT		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 007. First use: First Use: 1988/07/13 First Use In Commerce: 1988/10/20
	machinery for earth moving, earth conditioning and material handling, namely, loaders and engines therefor, and parts for vehicle and internal combustion engines
	Class 012. First use: First Use: 1988/07/13 First Use In Commerce: 1988/10/20
	vehicles for earth and material haulingand handling, namely, tractors and engines therefor

		T	
U.S. Registration No.	2364591	Application Date	08/30/1999
Registration Date	07/04/2000	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark			A A A A A A A A A A A A A A A A A A A
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Us	e: 1996/12/00 First U	Jse In Commerce: 1996/12/00
	BUSINESS MANAGEMENT PRODUCT DISTRIBUTION ( LOGISTICS CONSULTING S LOGISTICS SERVICES AND MANAGEMENT FREIGHT T WAREHOUSE AND PRODU MANAGEMENT	OPERATIONS MANA SERVICES, NAMELY O CONSULTINGIN TO RANSPORTATION I	AGEMENT SERVICES; /, PROVIDING CONTRACT HE AREAS OF INVENTORY MANAGEMENT,
	Class 039. First use: First Use: 1996/12/00 First Use In Commerce: 1996/12/00 warehousing services		
	_	se: 1996/12/00 First L	Jse In Commerce: 1996/12/00
	DESIGN OF COMPUTERIZE LOGISTICS AND PRODUCT	ED INFORMATION S	SYSTEMS FOR MANAGING

U.S. Registration No.	2364592	Application Date	08/30/1999
Registration Date	07/04/2000	Foreign Priority Date	NONE
Word Mark	CAT		
Design Mark	CAT		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1996/12/00 First Use In Commerce: 1996/12/00 Business management and consultation services, namely, product distribution operations management services; logistics consulting services, namely, providing contract logistics services and consultingin the areas of inventory management, freight transportation management, warehouse and product distribution operations management and designing and managing complete logistics solutions for others Class 039. First use: First Use: 1996/12/00 First Use In Commerce: 1996/12/00 warehousing services Class 042. First use: First Use: 1996/12/00 First Use In Commerce: 1996/12/00 Design of computerized information systems for managing logistics and product distribution processes for others		

U.S. Registration No.	2421077	Application Date	11/12/1999
Registration Date	01/16/2001	Foreign Priority Date	NONE .
Word Mark	CAT	A second	A CONTRACTOR OF THE CONTRACTOR
Design Mark			
Description of Mark	NONE		
Goods/Services		First Use: 1988/07/13 First L /ATORS; MINI HYDRAULIC	

EXCAVATORS; FRONT SHOVELS; BACKHOE LOADERS; SKID STEER LOADERS; COMPACT WHEEL LOADERS; WHEEL LOADERS; INTEGRATED TOOLCARRIERS; TELESCOPIC HANDLERS; TRACK LOADERS; WHEEL TRACTOR-SCRAPERS; TRACK-TYPE TRACTORS; WHEEL DOZERS; MOTOR GRADERS; SOIL COMPACTORS; COLD PLANERS; ROAD RECLAIMERS; ASPHALT PAVERS; VIBRATORY COMPACTORS; MARINE ENGINES; INDUSTRIAL ENGINES; DIESEL GENERATOR SETS; GAS GENERATOR SETS; DEMOLITION MACHINES AND SCRAP MATERIAL HANDLERS FOR USE THEREWITH, namely, BLADES, BUCKETS, CRUSHERS, GRAPPLERS, HAMMERS, HYDRAULIC BROOMS, MOBILE SHEARS, PALLET FORKS; PULVERIZERS, AND RAKES; LOG LOADERS; [ COMBINES; ] PIPELAYERS; MINING SHOVELS; WASTE HANDLING MACHINES; AND PARTS FOR ALL THE ABOVE Class 012. First use: First Use: 1988/07/13 First Use In Commerce: 1988/10/20 off-highway trucks; articulated trucks; truck engines; agricultural tractors; and

parts for all the above

U.S. Registration	4193027	Application Date	06/23/2011
No.			
Registration Date	08/21/2012	Foreign Priority Date	NONE
Word Mark	CATERPILLAR		
Design Mark	CATE	RPIL	LAR
Description of Mark	NONE		
Goods/Services	Class 007. First use: First Use: 1910/00/00 First Use In Commerce: 1910/00/00 Engines, other than for land vehicles; engines not for land vehicles, compressors for machines, electricity generators, and pumps for machines, for use in agriculture, compaction, construction, demolition, earth conditioning, earth contouring, earth moving, forestry, landscaping, lawn care, lifting, marine propulsion, material handling, mining, oil and gas production, paving, pipelaying, power generation, and road building and repair; machines and machine tools for use in agriculture, compaction, construction, demolition, earth conditioning, earth contouring, earth moving, forestry, landscaping, lawn care, lifting, marine propulsion, material handling, mining, oil and gas production, paving, pipelaying, power generation, and road building and repair  Class 012. First use: First Use: 1910/00/00 First Use In Commerce: 1910/00/00 Land vehicles for use in agriculture, compaction, construction, demolition, earth conditioning, earth contouring, earthmoving, forestry, landscaping, lawn care, lifting, marine propulsion, material handling, mining, oil and gas production, paving, pipelaying, power generation, and road building and repair; locomotives; engines for land vehicles		

U.S. Registration	277417	Application Date	03/24/1930
No.			

Registration Date	11/11/1930	Foreign Priority Date	NONE
Word Mark	CATERPILLAR		
Design Mark	CATE	RPII	LAR
Description of Mark	NONE		
Goods/Services	Class 012. First use: First Use: 1904/09/00 First Use In Commerce: 1904/09/00 TRACTORS, TRACTOR ENGINES, TRACK LINKS,TRACK SHOES, GROUSERS, GREASE GUNS; [ AGRICULTURAL MACHINERY TOOLS, AND EQUIPMENT- NAMELY, COMBINED HARVESTERS, WINDROWERS, PICK-UP MACHINERY GRAIN CLEANERS, GRAIN GRADERS, AND THRESHING MACHINES; ] ROAD CONSTRUCTION AND MAINTENANCE MACHINERY, TOOLS, AND EQUIPMENT-NAMELY, GRADERS, [ ELEVATING GRADERS, ROAD PLANERS, ] SCARIFIERS, PLOWS, LOGGING MACHINERY, TOOLS, AND EQUIPMENT-NAMELY, LOGGING ENGINES, [ WINCHES, LOG HOISTS, AND BUMMERS; ] AND THE PARTS FOR ALL SAID GOODS		

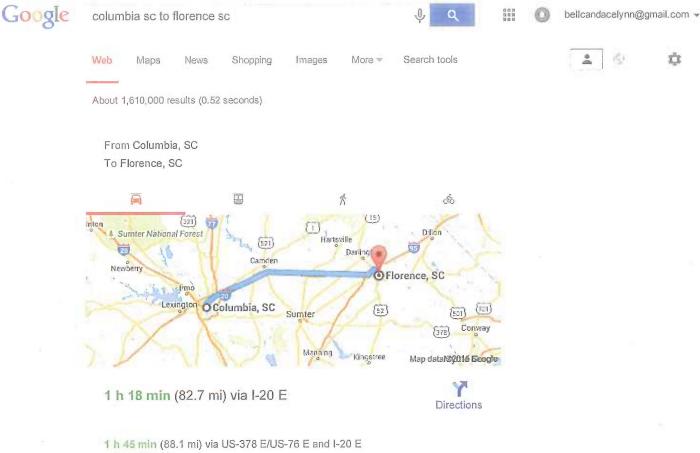
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Attachments	71049020#TMSN.gif( bytes )
	71386675#TMSN.gif( bytes )
	72452924#TMSN.gif( bytes )
·	72452923#TMSN.gif( bytes )
	73762371#TMSN.gif( bytes )
	75236985#TMSN.gif( bytes )
	75788362#TMSN.gif( bytes )
	75788387#TMSN.gif( bytes )
	75830492#TMSN.gif( bytes )
	85354196#TMSN.jpeg( bytes )
	71297791#TMSN.gif( bytes )
	85_814,584 TIGERCAT OPPOSITION.pdf(4911316 bytes)

#### **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Overnight Courier on this date.

Signature	/Christopher P. Foley/
Name	Christopher P. Foley
Date	11/20/2013

### EXHIBIT J



Driving Directions from Columbia, South Carolina to 200 E ... www.mapquest.com/maps?...Columbia...SC...Florence...SC... 
MapQuest Driving Directions results from Columbia, South Carolina to 200 E Howe Springs Rd Florence, South Carolina 29505 provided by MapQuest.

Driving Time from Florence, SC to Columbia, SC - TravelMath www.travelmath.com/driving-time/from/Florence,+SC/to/Columbia,+SC > How long does it take to drive from Florence, South Carolina to Columbia, South Carolina? View a map with the drive time between Florence, SC and Columbia, ...

Driving Distance from Florence, SC to Columbia, SC www.travelmath.com/drive-distance/from/Florence,+SC/.../Columbia,+S... >

How far is it to drive from Florence, South Carolina to Columbia, South Carolina? View a map with the driving distance between Florence, SC and Columbia, SC ...

Distance between Columbia, SC and Florence, SC www.distance-cities.com/distance-columbia-sc-to-florence-sc-

Distance between Columbia and Florence in miles and kilometers. Driving distance and how to go from Columbia, South Carolina to Florence, South Carolina.

Columbia (Florence: drive, how far, family) - South Carolina (... www.city-data.com > ... > US Forums > South Carolina > Columbia area > Jul 21, 2006 - 3 posts - 2 authors

I have family in Florence and Nesmith. How far a drive are they from Columbia, 30 min, an hour?

Interstate 20 in South Carolina - Wikipedia, the free ...

en.wikipedia.org/wiki/Interstate\_20\_in\_South\_Carolina Vikipedia This article is about the section of Interstate 20 in South Carolina. ... At Columbia, I-20 crosses the Saluda and Broad rivers and travels through the northern part of the city and turns ... It is at Florence where I-20 sees its eastern terminus at I-95.

Distance between Florence, SC and Columbia, SC 83 Miles ...

www.distancebetweencities.net/florence\_sc\_and\_columbia\_sc/ >
Driving distance from Florence, SC to Columbia, SC 83 Miles / 134 Km. How many hours? 1 hour 19 mins.

Cheap Flights from Florence, SC to Columbia, SC - Priceline www.priceline.com/.../Florence-FLO-Columbia-CAE.html > Priceline.com > Find the cheapest flights from Florence, SC (FLO) to Columbia, SC (CAE). See the best days to fly, historic flight prices, and recent winning flight bids.

Directions & Transportation | Columbia Metropolitan Airport ...
www.columbiaairport.com/directionstrans... Columbia Metropolitan Airport 
Your GPS destination address is 3250 Airport Blvd, West Columbia, SC ... To
Lexington, SC and I-20 to Florence, SC / Aiken, SC / Augusta, GA / Atlanta, GA.

Office Locations - South Carolina Department of Natural ... www.dnr.sc.gov/boating/offices.html > South Carolina > Directions to Columbia Office from Florence. Take I-20 West. Merge onto SC-277 South via Exit 73A toward Columbia. Turn Right onto Elmwood Avenue/US-76.

Searches related to columbia sc to florence sc

distance from columbia sc to florence sc florence sc to columbia sc map

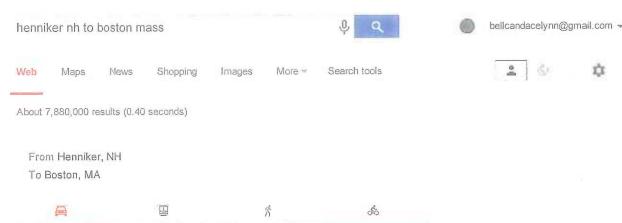


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### EXHIBIT K

Google





1 h 22 min (81.2 mi) via I-93 S



1 h 38 min (90.9 mi) via US-3 S

1 h 49 min (82.5 mi) via NH-114 S and US-3 S

#### Maps and Location | Town of Henniker, NH

www.henniker.org/general/page/maps-and-location F Henniker Boston, MA 81 miles; Concord, NH 17 miles; Keene, NH 35 miles; Lebanon, NH 45 miles; Manchester, NH 30 miles; Nashua, NH 48 miles; Portsmouth, NH 72 ...

#### Distance from Boston, MA to Henniker, NH

www.distance-cities.com/distance-boston-ma-to-henniker-nh v Distance between Boston and Henniker in miles and kilometers. Driving distance and how to go from Boston, Massachusetts to Henniker, New Hampshire.

#### Henniker, New Hampshire - Wikipedia, the free encyclopedia

en.wikipedia.org/wiki/Henniker,\_New\_Hampshire Wikipedia Henniker is a town in Merrimack County, New Hampshire, United States. ....

Mansfield, A History and Description of New England; Boston, Massachusetts 1859 ...

#### [DOC] Directions to PATS PEAK in Henniker, NH

www.patspeak.com/.../Directions\_to\_PATS\_PEAK\_in\_Hennike... ▼ Pats Peak ▼ Physical Address: 686 Flanders Road, Henniker, NH 03242. GPS Coordinates: Degrees ... From Manchester, NH and Boston, MA Take I-93 North to Concord, ...

#### Distance between Henniker, NH and Boston, MA 81 Miles ...

www.distancebetweencities.net/henniker\_nh\_and\_boston\_ma/ >
Driving distance from Henniker, NH to Boston, MA 81 Miles / 131 Km. How many hours? 1 hour 21 mins.

#### Henniker to Boston by line 8360 bus, bus, car, plane ...

www.rome2rio.com/s/Henniker/Boston ▼

Travel Point: Concord, NH; Frequency: 1hrs 20min - once daily - line 8360; Price: \$25 - \$35; Disclosure: Travel Point: Boston, MA - South; Price: 136 ...

#### Henniker Weather - AccuWeather Forecast for NH 03242

#### Henniker NH, Concord New Hampshire Lodging, Lakes ...

www.colbyhillinn.com/directions.htm >

Get directions to Henniker, NH and Colby Hill Inn in the Lakes Region for Concord, New ... Directions to Colby Hill Inn from Logan Airport in Boston, MA

#### Amtrak - Stations - Concord, NH (CNH)

www.amtrak.com > Stations > Northeast Stations > Amtrak > Amtrak train station Concord, NH has an enclosed waiting area, without Wi-Fi, no parking, with accessible platform and no wheelchair available.

#### Henniker NH Maps - road map, satellite view and street view

www.maps-streetview.com/United-States/Henniker/ \*

Henniker NH most complex maps: Henniker (New Hampshire) road map, Henniker, ... Tufts-New England Medical Center - University of Massachusetts Boston



O Buffalo, NY - From your Internet address - Use precise location - Learn more

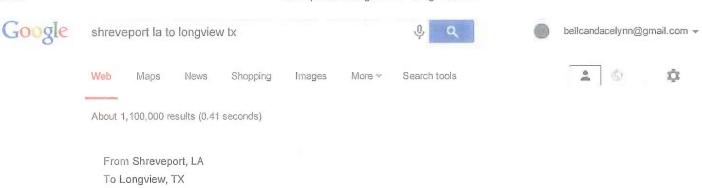
Help S

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Terms

### **EXHIBIT** L





1 h 5 min (65.1 mi) via I-20 W

Directions

Driving Directions from Longview, Texas to Shreveport ... www.mapquest.com/maps?...Longview...TX...Shreveport...LA ➤ MapQuest ♡ Driving Directions results from Longview, Texas to Shreveport, Louisiana provided by MapQuest.

Driving Distance from Longview, TX to Shreveport, LA www.travelmath.com/drive-distance/.../Longview,+TX/to/Shreveport,+L... \*\* How far is it to drive from Longview, Texas to Shreveport, Louisiana? View a map with the driving distance between Longview, TX and Shreveport, LA to ...

#### Driving Time from Longview, TX to Shreveport, LA

www.travelmath.com/driving-time/.../Longview,+TX/to/Shreveport,+LA > How long does it take to drive from Longview, Texas to Shreveport, Louisiana? View a map with the drive time between Longview, TX and Shreveport, LA to plan ...

Longview Is America's Angriest City, Shreveport Isn't Very ...
710keel.com/longview-is-americas-angriest-city-shreveport-isnt-ve... 
KEEL 
May 7, 2013 - The East Texas city of Longview is pretty angry according to a
Gallup/Healthways study. And Shreveport-Bossier, as well as most of Louisiana, ...

Distance between Shreveport, LA and Longview, TX 65 ... www.distancebetweencities.net/shreveport\_la\_and\_longview\_tx/ >
Driving distance from Shreveport, LA to Longview, TX 65 Miles / 105 Km. How many hours? 1 hour 5 mins.

#### Amtrak's Texas Eagle | Longview, TX

www.texaseagle.com/stations/LVW.htm ▼ Texas Eagle ▼ Local information for Longview, TX: hotels, car rental, points of interest, ... point for dedicated motorcoach service to/from Shreveport and Bossier City, La., ...

#### Distance Longview TX Shreveport LA

distancesonline.com/Longview,TX/Shreveport,LA  $\checkmark$  Distance Longview TX - Shreveport LA, total distance, average speed, travel time, calculate costs and fuel consumption, calculate when arrive to Shreveport LA.

#### Distance from Shreveport, LA to Longview, TX

www.wdistances.com/shreveport-la/longview-tx > If you want to go from Shreveport, LA to Longview, TX it would take you (estimated driving time without traffic), since they are miles apart by land route. It would ...

Longview, Texas - Wikipedia, the free encyclopedia en.wikipedia.org/wiki/Longview,\_Texas > Wikipedia > Longview is a city in Gregg and Harrison counties in the U.S. state of Texas. ..... Houston, and Galveston, as well as Shreveport, Louisiana, by motorcoach.

#### Bus Routes from Shreveport, LA to Longview, TX from ...

locations.greyhound.com/bus-routes/.../shreveport-la/longview-tx > Bus routes from Shreveport, LA to Longview, TX from \$17.00 - Save money and book your bus ticket online today! Tour in style with new bus amenities offered ...



O Buffalo, NY - From your Internal address - Use precise location - Learn more

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### EXHIBIT M

#### John Metzger

From:

Foley, Christopher < christopher.foley@finnegan.com>

Sent:

Thursday, May 28, 2015 12:15 PM

To:

Candace Lynn Bell

Cc:

Roberta Jacobs-Meadway; John Metzger; Kilaru, Naresh; Johnson, Laura

Subject:

Discovery

#### Dear Candace and Bobbi:

We continue to be surprised by your lack of cooperation in resolving discovery issues. As an accommodation, we are prepared to make Mr. Tisdale available on Tuesday, June 2, for a video deposition, provided that: (1) any exhibits you contemplate using are delivered to Caterpillar no later than Monday morning, June 1, and (2) Tigercat's 30(b)(6) witness is made available for deposition at our offices in Washington, D.C. Ms. Lantz Rickard and Mr. Stembridge will be available on June 10 and 11, respectively. Therefore, you will only have to make one trip to Peoria.

Please let us know if you find this acceptable.

Very truly yours,

Chris

#### Christopher P. Foley

Partner

Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P.
Two Freedom Square | 11955 Freedom Drive | Reston, VA 20190-5675
571.203.2720 | fax: 202.408.4400 | <a href="mailto:christopher.foley@finnegan.com">christopher.foley@finnegan.com</a> | <a href="mailto:www.finnegan.com">www.finnegan.com</a> | <a href="mailto:www.finnegan.com">www.f

This e-mail message is intended only for individual(s) to whom it is addressed and may contain information that is privileged, confidential, proprietary, or otherwise exempt from disclosure under applicable law. If you believe you have received this message in error, please advise the sender by return e-mail and delete it from your mailbox. Thank you.

## EXHIBIT N



Eckert Seamans Cherin & Mellott, LLC Two Liberty Place 50 South 16<sup>th</sup> Street, 22<sup>nd</sup> Floor Philadelphia, PA 19102 TEL 215 851 8400 FAX 215 851 8383 www.eckertseamans.com

Candace Lynn Bell, Esq. 716-835-0240 cbell@eckertseamans.com

May 29, 2015

<u>Via Email</u> christopher.foley@finnegan.com

Christopher P. Foley, Esq. Finnegan, Henderson, Farabow, Garrett & Dunner, LLP Two Freedom Square 11955 Freedom Drive Reston, VA 20190-5675

Re: Caterpillar, Inc. v Tigercat International, Inc.
Opposition No. 91213597
Discovery Scheduling and Deficiencies in Caterpillar's Discovery Responses
Our File No: 303621 – 00011

#### Dear Chris:

This letter is in reference to your e-mail of May 28, 2015 regarding deposition scheduling.

We disagree with your contention that we have not cooperated with you.

Most of the delay and difficulty in discovery has been occasioned by Opposer's failure to provide timely and proper responses to interrogatories and requests for production of documents, and that failure has made it more difficult to prepare for and proceed with depositions.

As you will recall, we served you with Notices of Deposition for Mr. Tisdale, Mr. Stembridge and a 30(b)(6) Notice for Opposer on August 26, 2014 (the "Notices"), prior to the case being suspended when we had to file a Motion to Compel Discovery Responses based on Opposer's unfounded objections to discovery.

After the February 4, 2015 Board Order requiring Opposer to respond to certain of Tigercat's discovery requests, Tigercat engaged in another round of letter writing seeking appropriate discovery responses from Opposer as ordered by the Board to no avail. Accordingly, Opposer's failure to cooperate in the discovery process as ordered by the Board required Tigercat to file a Motion for Sanctions and Suspension on April 7, 2015. The Motion for Sanctions is still pending and Tigercat still has not received the responses and documents to which it is entitled and which it should have for the depositions it has noticed as well as for the depositions to be noticed of the persons you have identified as "experts."

Christopher P. Foley, Esq. May 29, 2015 Page 2

Since the case was not suspended until May 5, 2015, Tigercat continued to comply with the Board's discovery schedule, served its expert disclosures and re-served its Notices of deposition on April 17, 2015, all without the benefit of the discovery to which it is entitled.

The Notices re-served on April 17, 2015 sought depositions during the week of May 4, 2015 since the discovery schedule in effect at that time set a close of discovery of May 13, 2015. On April 21, 2015, the parties were able to agree on a thirty day extension of deadlines which moved the close of discovery to June 12, 2015. On April 23, 2015, Attorney Johnson sent an e-mail confirming that depositions noticed for the week of May 4, 2015 would not work for Opposer. A copy of the e-mail is attached for your reference.

Since April 23, 2015, Tigercat has continued to engage in numerous e-mails and conference calls with you attempting to schedule the depositions, both before and after the Board's suspension Order of May 5, 2015.

On May 13, 2015, Opposer served inadequate discovery responses to Tigercat's Second Set of Requests for Production. On May 14, 2015, Tigercat sent a letter outlining the deficiencies in Opposer's responses, seeking in good faith to resolve the issues with Opposer. On May 18, 2015, Attorney Johnson sent an e-mail stating that counsel was "...working with the client to produce any documents relevant to Tigercat's requests" and "We will provide a timely update this week." A copy of the e-mail is attached for your reference. On May 19, 2015, we again wrote seeking responses by May 21, 2015. On May 19, 2015, you sought justification for the May 21, 2015 response deadline. On May 20, 2015, we replied that:

The case is rapidly proceeding to close of discovery. The responses and documents were requested over thirty days ago. You did not ask for or seek an extension of time to respond. Instead, what was served was non-responsive and no documents were produced. We are preparing for depositions and trial and expect the discovery we served to be responded to without further delay.

The week of May 18, 2015 ended and we received no update.

As of today, Opposer still has not provided any update, still has not provided appropriate responses to the discovery requests and still has not produced all responsive documents.

Since it was unclear when pre-trial disclosures were due and the impact of the May 5, 2015 Board Suspension Order, Tigercat again sought to move forward with the case, despite the outstanding discovery issues, by seeking agreement to continue the depositions in light of the

Christopher P. Foley, Esq. May 29, 2015 Page 3

pending discovery disputes. On May 26, 2015, Attorney Johnson stated Opposer would object to any continuation outside that permitted under the Trademark Rules and any Board Order.

As of yesterday, the parties agreed that discovery is continuing, although whether or not the disclosure deadlines were still in effect was still an issue. Tigercat again engaged in e-mail exchanges and a conference call yesterday morning about scheduling depositions in light of the various open discovery issues. We also raised again the issue of video conference depositions given the travel schedule to Peoria and the unavailability of the three Caterpillar witnesses during the same week. You did not consent to video conference depositions. No agreement on scheduling could be reached.

Moving forward with the Caterpillar fact depositions without the information and materials Opposer should have produced, and in light of the open discovery issues and without agreement to continue such depositions to address with the witnesses any matters raised by subsequently produced information and documents is prejudicial to Tigercat. For that reason, granted that discovery remains open, and all dates will be reset pursuant to the Board's Order of this morning, the depositions of Mr. Tisdale, Mr. Stembridge and Ms. Lantz Rickard will be rescheduled.

Yesterday afternoon, after the telephone call, you sent an e-mail offering the video conference deposition of Mr. Tisdale only, and only on the conditions that our Canadian client waive its rights with respect to deposition on written questions and have its representatives travel to your office in Washington, D.C. to be deposed. This offer is one we deem inappropriate and it is not acceptable.

We note that in the April 23, 2015 e-mail sent by Attorney Johnson, she stated: "The depositions of Mr. McHugh and Mr. Berger (the experts disclosed by Tigercat) will be by telephone." Mr. Berger resides in Chicago and Mr. McHugh in Philadelphia, both easily accessible major U.S. cities. We made and make no objections to Opposer taking Mr. Berger's and Mr. McHugh's depositions by telephone. We demanded no concessions. You have failed to return the cooperation or courtesy we extended with respect to the depositions of Caterpillar's witnesses. We remind you that with respect to the three individuals Caterpillar has offered as experts, who reside in Henniker, New Hampshire, Florence, South Carolina, and Longview, Texas, respectively (locations that are approximately an hour and a half to a two hour drive from major airports), we have repeatedly sought consent to take their depositions by video conference and to set dates for these depositions. You have not consented to video conference depositions or provided us with dates.

So that there is no doubt, we are not prepared to go forward with the depositions of Mr. Tisdale, Ms. Lantz Rickard and Mr. Stembridge until responsive documents necessary for the depositions are produced. Nor are we prepared to move forward with the depositions of Mr. Berger and Mr. McHugh with fact discovery still open. We expect Opposer to provide complete

Christopher P. Foley, Esq. May 29, 2015 Page 4

responses and the documents responsive to Tigercat's Second Set of Requests for Production without further meritless objections no later than Thursday, June 4, 2015.

We continue to be open to resetting dates and working cooperatively with you to schedule depositions as appropriate, and to conduct the depositions by appropriate means, but not in a manner that is prejudicial to Tigercat.

As discussed in yesterday morning's call, we will be seeking leave from the Board to proceed with video conference depositions, on notice and without conditions.

Very truly yours,

Candace Lynn Bell

ECKERT SEAMANS CHERIN & MELLOTT, LLC.

cc: Roberta Jacobs-Meadway, Esq.

## **EXHIBIT O**

CHRISTOPHER P. FOLEY 571.203.2720 christopher.foley@finnegan.com

June 1, 2015

Candace Lynn Bell Eckert Seamans Cherin & Mellott, LLC 50 S 16th Street, Floor 22 Philadelphia, PA 19102-2523

VIA E-MAIL

Caterpillar Inc. v. Tigercat International Inc. T.T.A.B. Opposition No. 91213597

Dear Counsel:

We write in regards to your May 29, 2015 letter regarding deposition scheduling.

The parties spent the last six weeks diligently working to schedule fact and expert depositions. The Board's May 18, 2015 Order encouraged the parties to proceed with these depositions during stay of the proceedings. Tigercat waited until two business days before the first scheduled deposition to declare that it was refusing to participate in the scheduled fact and expert depositions.

Tigercat attempts to rationalize these last minute changes behind its claims of "outstanding" Caterpillar discovery. As evidenced below, no such delay has occurred. Even so, during the parties' numerous discussions, Tigercat never raised concerns about how this discovery could impact depositions. It is becoming readily apparent that Tigercat's true motivations are to frustrate and delay discovery, as well as the ultimate resolution of this matter.

#### Caterpillar Discovery

Tigercat spends an inordinate amount of its letter discussing Caterpillar's discovery responses. Caterpillar informed Tigercat in its May 13, 2015 Objections and Responses to Tigercat's Second Requests for the Production of Documents that it would produce representative, responsive, non-privileged documents to the extent that documents existed. Apart from the two documents produced today, which we uncovered last week, and those which can be found in Caterpillar's prior productions, Caterpillar's reasonable investigation of its business records has revealed no other representative, responsive, non-privileged documents. Caterpillar has supplemented its discovery responses to reflect this investigation.

Tigercat is premising its postponement of depositions on the production of documents that do not exist. Tigercat cannot continue to rely upon the false notion that Caterpillar is withholding discovery as a delay tactic for this case.

#### Caterpillar Witnesses

Tigercat noticed depositions for Ed Stembridge, Kurt Tisdale, and a 30(b)(6) witness. As Tigercat's own letter reflects, Tigercat adamantly pushed for dates of Caterpillar's fact witnesses since at least as early as April 17, 2015, and well after the Board's May 5, 2015 communication.

After discussion between counsel, Tigercat requested that Caterpillar's fact witnesses be made available the second and third weeks of June. Mr. Stembridge, Mr. Tisdale, and Ms. Diane Lantz Richards (one of Caterpillar's 30(b)(6) designees) are senior executives whose time is very valuable and who frequently travel from Peoria on business. Caterpillar was able to rework and coordinate these witnesses' schedules and on May 18, 2015, offered the witnesses for the following dates: Mr. Tisdale - June 2, Ms. Lantz Richard - June 4, and Mr. Stembridge - June 10th and 11th (in both his personal capacity and as the other 30(b)(6) designee).

Tigercat accepted these dates and offered every indication that it was moving forward with these depositions including:

- Counsel raised no objection to proceeding with fact witness depositions during the parties' May 18, 2015 telephone call with the Board.
- Counsel agreed to take the deposition of Caterpillar's witnesses on two separate weeks. *See* Bell email dated May 19, 2015.
- Counsel refused a 60-day extension of the discovery deadline before the Board clarified that discovery was stayed. See Bell email dated May 19, 2015.
- Counsel demanded identification of which witnesses would be covering each 30(b)(6) topic "no later than May 27." *See* Bell email dated May 19, 2015.
- Counsel demanded confirmation on May 26, 2015 that the witnesses would appear for their depositions. *See* Bell email dated May 26, 2015.
- Counsel finalized locations and times for these depositions. *See* Bell email, dated May 26, 2015.

To refuse to proceed with these depositions now is inexcusable. During the course of dozens of communications between the parties, Tigercat did not once object to these depositions or dates based on the perceived Caterpillar discovery deficiencies. In fact, during one telephone call between counsel, Tigercat informed Caterpillar that it would be proceeding with the depositions of Caterpillar's fact witnesses despite any outstanding discovery and that it would seek to reopen these depositions based on any subsequent production.

After having Caterpillar spend tremendous time and money to schedule and prepare its witnesses, Tigercat waited until less than two business days before the depositions were scheduled to commence to cancel them. We consider your conduct, as Tigercat's counsel, to be improper and unprofessional.

Candace Lynn Bell June 1, 2015 Page 3

Tigercat claims in its letter that discovery is continuing. The cancellation of these depositions clearly evidence that Tigercat is willing to continue discovery only to the extent that is self-serving to their agenda and schedule.

#### <u>Video Depositions</u>

In April, the parties discussed the possibility of video depositions for expert witnesses. Caterpillar was initially receptive to this approach because it contemplated a very short deposition, particularly given the looming rebuttal report due date in May. Caterpillar withdrew its offer to depose Mr. McHugh and Mr. Berger via telephone when more time was available and volunteered to travel to Chicago and Philadelphia for these depositions. Further, in subsequently evaluating the logistical considerations of telephone depositions (i.e., the length of the depositions, the number of exhibits, the witnesses' familiarity with the legal process, the generally poor quality of telephonic transcription, etc.), it became clear that it will be more appropriate for both fact and expert witnesses to be deposed in person. Tigercat did not object to that change.

The simple truth is a face-to-face deposition is, in our opinion, most appropriate. The chief value of obtaining a deposition, as with any discovery proceeding, is to give all parties in a contested case a fair preview of the evidence. The process is designed to provide a level playing field of information among the litigants. Depositions, however, can become heated at times, with some attorneys asking harassing questions to provoke witnesses. When that happens, the playing field isn't level and the witness is at a distinct disadvantage. The imbalance is further distorted when the attorney is on a phone, and not face-to-face with the adverse witness. Given these considerations aimed at fundamental fairness, Caterpillar prefers in-person, face-to-face depositions, the standard procedure set forth in the Trademark Trial and Appeal Board Manual of Procedure.

Tigercat attempts to rationalize its request for <u>fact and expert</u> video depositions based on its own travel schedule. The rules contemplate having witnesses appear at locations convenient <u>for the witnesses</u>, not counsel.

During the parties' May 28, 2015 call, Tigercat raised objections about having to travel to Peoria twice. In a last ditch effort to have the Caterpillar depositions proceed, Caterpillar proposed a mutually-agreeable compromise whereby Mr. Tisdale was offered for deposition via video conference, if Tigercat would produce its 30(b)(6) witness for oral deposition in Washington, DC. While a solution to Tigercat's recently raised travel concerns, Caterpillar respects Tigercat's rights to refuse this request and will be seeking the in-person deposition of Tigercat's witnesses through other means.

Caterpillar will object to any motion to the Board to proceed on video depositions. Given the proceeding is stayed and that no deposition dates are currently scheduled, Tigercat should be able to obtain economical flights to the locations of each witness.

Candace Lynn Bell June 1, 2015 Page 4

#### Expert Witnesses

Pursuant to the Board's schedule, the parties exchanged expert reports on April 13, 2015. Almost immediately, Caterpillar informed Tigercat that it intended to depose Tigercat's experts Mr. McHugh and Mr. Berger. The parties spent the next month exchanging telephone calls and written communications about available dates for these depositions and how those dates would impact the rebuttal deadline. During the parties' communications and the May 18, 2015 telephone call with the Board, Tigercat never once objected to proceeding with these depositions.

On May 20, 2015, Tigercat's counsel offered Mr. Berger for deposition in Chicago on June 5, 2015, and Mr. McHugh for deposition in Philadelphia on June 9, 2015. On May 26th and 27th, Caterpillar emailed counsel for Tigercat to confirm these dates.

On May 27, 2015, Ms. Bell informed Caterpillar that Tigercat would "not be proceeding with the depositions of our experts," stating that "(h)aving rebuttal expert disclosures due while fact discovery is ongoing, which discovery is likely to impact the information provided to and relied on by such experts is neither logical nor contemplated by the rules." *See* Bell, May 27, 2015 email. Tigercat was unable or unwilling to explain the basis for this position during the parties' May 28, 2015 call. Your May 29, 2015 letter simply states that Tigercat is unwilling to move forward with the depositions of Berger and McHugh with "fact discovery still open."

For the reasons discussed in detail below, Tigercat's position is inconsistent with the parties' prior discussions and Board practice, and, as such, appears simply to be another delay tactic.

First, Tigercat's refusal to offer Mr. McHugh and Mr. Berger for deposition with "fact discovery still open" violates Board rules that preclude discovery depositions after the close of discovery. *See* TBMP § 403.02.

Second, the Board intends that expert discovery take place while fact discovery is ongoing. This is clearly reflected in the Board's standard scheduling order requiring expert disclosures be served no later than 30 days prior to the close of discovery and rebuttal disclosures be served 30 days thereafter.

Third, Caterpillar seeks to depose Mr. Berger and Mr. McHugh on the subject matter of their reports, namely a likelihood of confusion survey and the public's linguistic perception of the CAT mark. Neither of these reports cite Caterpillar production materials. Even if there were outstanding fact discovery issues (which there are not), Tigercat has not explained how resolution of these issues may impact these depositions.

Fourth, the Board's May 18, 2015 Order specifically contemplates that "the parties may proceed to take fact discovery <u>and expert discovery</u> during the suspension." The Order in no way suggests that Tigercat can or should delay offering its expert witnesses for deposition.

Candace Lynn Bell June 1, 2015 Page 5

Please promptly inform us of available dates for these experts. Caterpillar should not be forced to compel these depositions.

Sincerely,

Christopher P. Foley

Christopher P. Foley

CPF/LKJ

## EXHIBIT P

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

CATERPILLAR INC.,

Opposer,

Opposition No. 91213597

٧.

Application Serial No. 85/591,967

Mark: TIGERCAT

TIGERCAT INTERNATIONAL INC.,

Application date: April 8, 2012

Applicant.

#### OPPOSER'S NOTICE OF DEPOSITION OF BRIAN D. MCHUGH

PLEASE TAKE NOTICE that, pursuant to Rule 30 of the Federal Rules of Civil Procedure, on June 9, 2015 at 9:00 am, Opposer Caterpillar Inc. ("Opposer" or "Caterpillar") will take the deposition upon oral examination of Brian D. McHugh at the Hilton Philadelphia at Penn's Landing, 201 S. Christopher Columbus Blvd., Philadelphia, PA 19106, or at a location to be mutually agreed upon by the parties, before a Notary Public or another person qualified by law to administer oaths.

The deposition(s) will continue day-to-day until such time as completed and will be recorded by stenographic, audio, video, or other means. You are invited to attend.

Dated: May 12, 2015

#### Respectfully submitted,

#### /Christopher P. Foley/

Christopher P. Foley
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.
901 New York Ave., N.W.
Washington, D.C. 20001-4413
Telephone: 202-408-4000
Facsimile: 202-408-4400

Laura K. Johnson FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P. 2 Seaport Boulevard Boston, MA 02210 Telephone: 617-646-1600

Attorneys for Opposer Caterpillar Inc.

Facsimile: 617-646-1666

#### **CERTIFICATE OF SERVICE**

I certify that a true and accurate copy of the foregoing NOTICE OF DEPOSITION OF BRIAN D. MCHUGH was served via electronic mail, upon counsel for Applicant, on May 12, 2015.

/Jenny M. Reilly/ Jenny M. Reilly

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

CATERPILLAR INC.,

Opposer,

Opposition No. 91213597

٧.

Application Serial No. 85/591,967

Mark: TIGERCAT

TIGERCAT INTERNATIONAL INC.,

Application date: April 8, 2012

Applicant.

#### OPPOSER'S NOTICE OF DEPOSITION OF JAMES T. BERGER

PLEASE TAKE NOTICE that, pursuant to Rule 30 of the Federal Rules of Civil Procedure, on May 20, 2015 at 9:00 am, Opposer Caterpillar Inc. ("Opposer" or "Caterpillar") will take the deposition upon oral examination of James T. Berger at the Hyatt Regency Chicago at 151 E. Upper Wacker Dr., Chicago, IL 60601, or at a location to be mutually agreed upon by the parties, before a Notary Public or another person qualified by law to administer oaths.

The deposition(s) will continue day-to-day until such time as completed and will be recorded by stenographic, audio, video, or other means. You are invited to attend.

Dated: May 12, 2015

Respectfully submitted,

#### /Christopher P. Foley/

Christopher P. Foley
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.
901 New York Ave., N.W.
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GARRETT & DUNNER, L.L.P.
2 Seaport Boulevard
Boston, MA 02210
Telephone: 617-646-1600
Facsimile: 617-646-1666

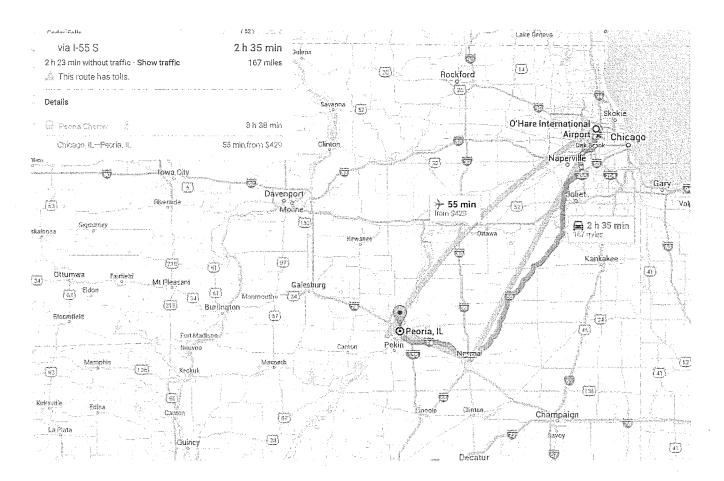
Attorneys for Opposer Caterpillar Inc.

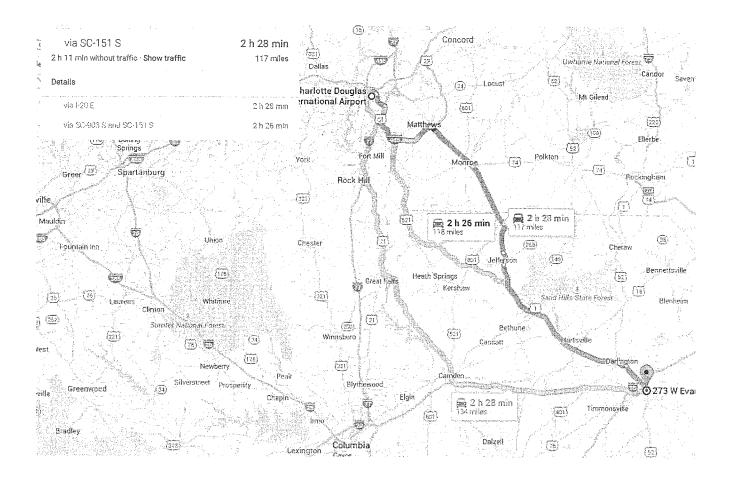
#### CERTIFICATE OF SERVICE

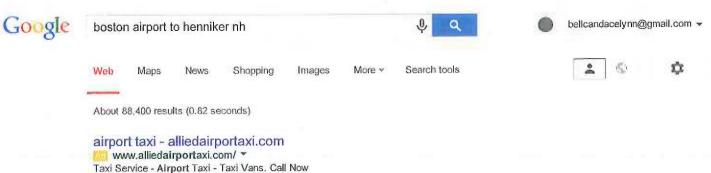
I certify that a true and accurate copy of the foregoing NOTICE OF DEPOSITION OF JAMES T. BERGER was served via electronic mail, upon counsel for Applicant, on May 12, 2015.

/Jenny M. Reilly/ Jenny M. Reilly

# EXHIBIT Q







From Boston Logan International Airport, 1 Harborside Drive, Boston, MA 0...
To Henniker, NH



1 h 34 min (92.9 mi) via US-3 N

## Directions to Pats Peak NH Ski Resort

www.patspeak.com/direction.html ▼ Pats Peak ▼ PO Box 2448. Henniker, NH 03242 ... From Manchester, NH and Boston, MA. Take I-93 North to ... From Manchester-Boston (MHT) Regional Airport 1 Airport Rd ...

# [DOC] Directions to PATS PEAK in Henniker, NH

www.patspeak.com/.../Directions\_to\_PATS\_PEAK\_in\_Hennike... \* Pats Peak \* ... Henniker, NH. Physical Address: 686 Flanders Road, Henniker, NH 03242 ... From Manchester-Boston (MHT) Regional Airport, 1 Airport Rd, Manchester, NH

# Nearest airport to Henniker, New Hampshire - TravelMath

www.travelmath.com/nearest-airport/Henniker,+NH \*

The nearest major airport is Manchester-Boston Regional Airport (MHT ... near Henniker, NH, or scroll down for more international airports or domestic airports.

# 

Concord, NH to Boston & Logan Airport. Southbound (Read Across) ... Leaves Concord, NH », Arrives South Station », Arrives Logan Airport », Codes. 3:30a (X).

#### Boston Express - Concord

www.bostonexpressbus.com/.../new-hampshire/concord > Boston Express > This location provides scheduled service to our North Londonderry, Londonderry and Salem, NH locations with continuing service to Logan Airport and Boston ...

# New Testimonials - Airport Transportation, Limousine ...

dkairportservice.com/new-testimonials.html >

... DK Airport Service Town we serve Towns we serve in NH Around Boston Prices ... wife, Sara, from Henniker,NH to the Manchester airport this morning at 6:45.

#### Henniker to Boston by line 8360 bus, bus, car, plane ...

www.rome2rio.com/s/Henniker/Boston >

Travel Point: Concord, NH; Frequency: 1hrs 20min - once daily - line 8360; Price: \$25 - \$35; Disclosure: Travel Point: Boston, MA - South; Price: 136 ...

#### Boston airport to Henniker by plane, car, bus | Rome2rio

www.rome2rio.com/s/Boston-Airport-BOS-USA/Henniker \*

Compare travel options from Boston airport to Henniker; fly and drive (1 hours, \$78) or Concord Coach Lines bus (1 hours, \$81) or drive (1½ hours, \$10).

#### Visit | Accommodations | New England College

www.nec.edu/about/visit/ > New England College >

Boston Logan International Airport – 90 minutes away from New England College and located in ... Intervale Airstrip, Henniker NH – one mile from campus.

## Henniker NH, Concord New Hampshire Lodging, Lakes ...

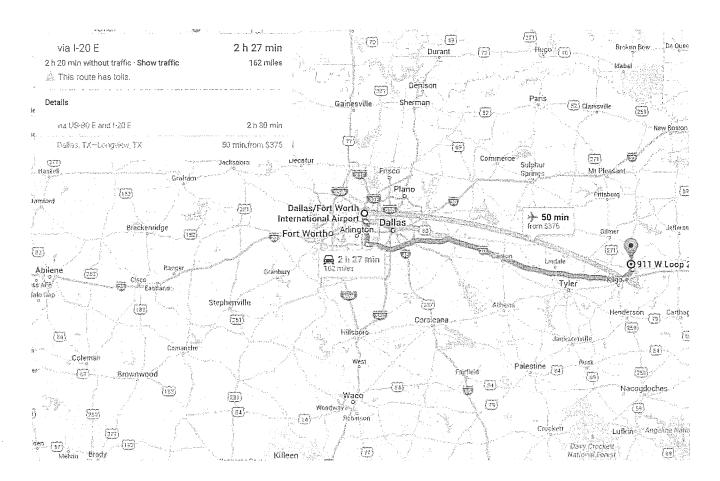
www.colbyhillinn.com/directions.htm >

Get directions to Henniker, NH and Colby Hill Inn in the Lakes Region for Concord, New ... Directions to Colby Hill Inn from Logan Airport in Boston, MA

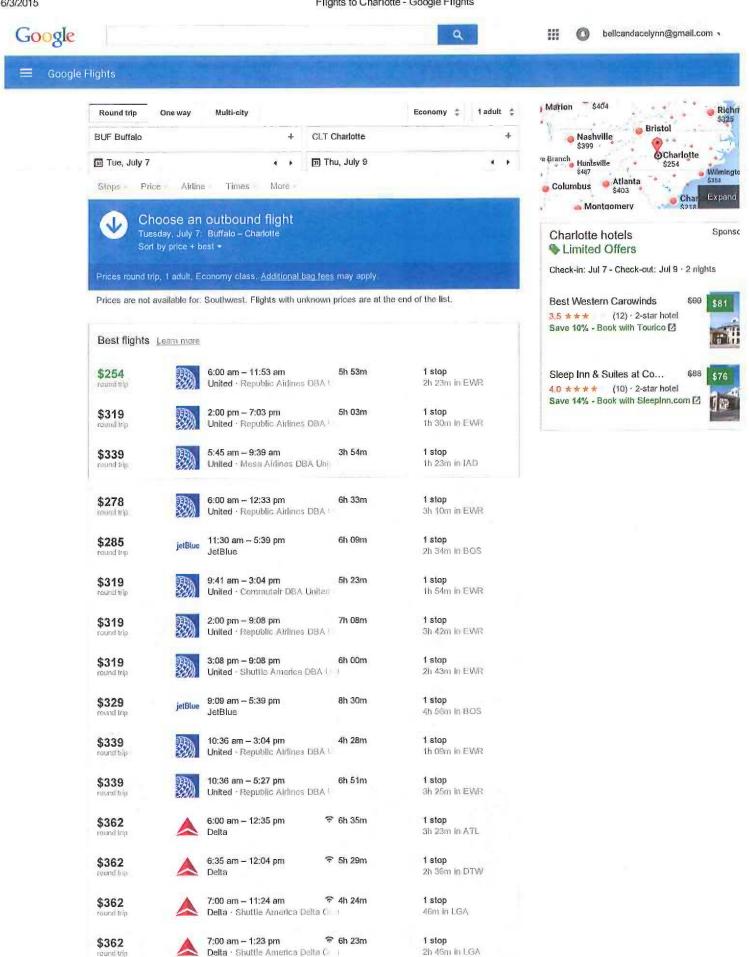


O Buffalo, NY - From your Internet address - Use precise location - Learn more

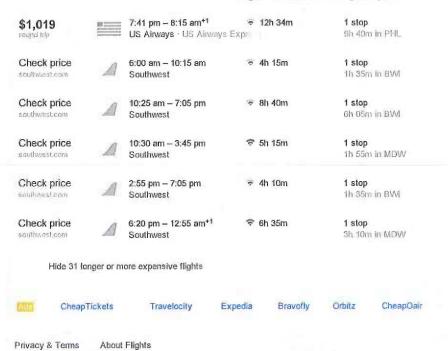
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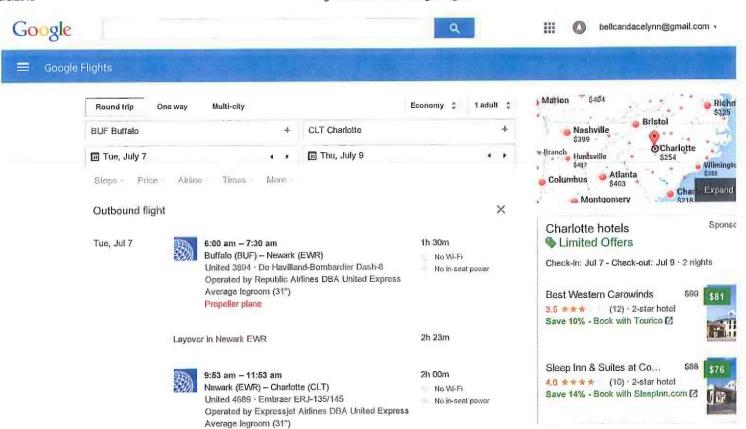


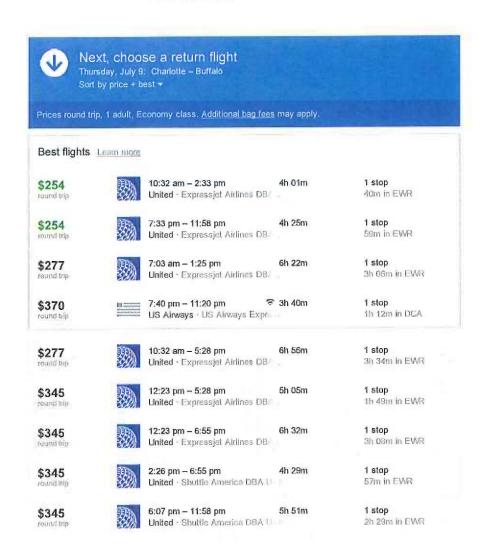
# **EXHIBIT R**



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\$391	10:36 am – 6:49 pm United · Republic Airlines DBA	8h 13m	2 stops EWR, IAD
\$393	6:00 am – 10:07 am Delta	4h 07m	1 stop 45m in ATL
\$393	6:00 am – 11:17 am Delta	5h 17m	1 stop 2h 00m in ATL
\$393 round trip	10:00 am – 3:47 pm South	5h 47m	1 stop 2h 45m in DTW
\$394 jetBlue	11:12 am 7:26 pm JetBlue	8h 14m	1 stop 4h 26m in JFK
\$410 round trip	6:15 am – 4:44 pm United · Shuttle America DBA I	10h 29m	1 stop 6h 57m in ORD
\$410 round trip	7:25 am – 4:44 pm 😞 United · Skywest DBA United F.	9h 19m	1 stop 5h 37m in ORD
\$410	5:49 pm - 10:16 pm - pm - 10:1	4h 27m	1 stop 35m in ORD
\$412	4:12 pm – 10:27 pm Delta	6h 15m	1 stop 2h 40m in ATL
\$412	5:26 pm – 9:42 pm Delta	4h 16m	1 stop 1h 21m in DTW
\$412 round trip	7:07 pm – 12:16 am <sup>+1</sup> Pelta	5h 09m	1 stop 1h 46m in ATL
\$503	3:40 pm – 9:27 pm ? US Airways · US Airways Expr	5h 47m	1 stop 2h 23m in PHL
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\$650 round trip	6:20 am – 8:10 am US Airways · American	1h 50m	Nonstop
\$650 pound trip	7:15 am – 12:01 pm 🕏 US Airways • US Airways Expr	4h 46m	1 stop 1h 02m in BOS
\$650 round trip	8:15 am – 10:07 am US Airways · American	1h 52m	Nonstop
\$650 round trip	11:50 am - 1:40 pm US Airways · American	1h 50m	Nonstop
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\$719 round trip	2:00 pm – 7:37 pm = US Airvays Expr	5h 37m	1 stop 1h 43m in BOS
\$879 round trip	11:30 am – 3:12 pm	3h 42m	1 stop 54m in DCA
\$898 round tup	7:41 pm – 6:53 am <sup>+1</sup> US Airways · US Airways Expr	11h 12m	1 stop 8h 20m in PHL

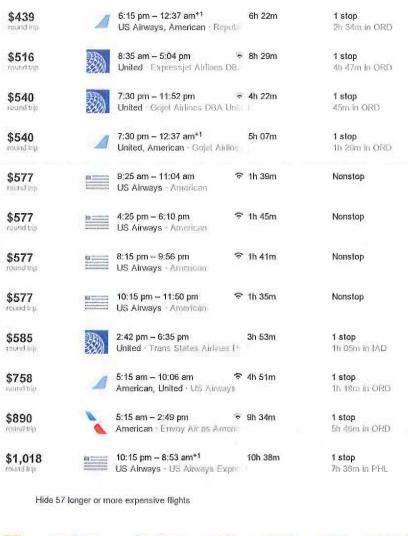






\$346 round trip		7:50 am – 5:33 pm To US Airways - US Airways Expr	9h 43m	1 stop 5h 57m in BOS
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\$370 round trip		6:30 am ~ 12:10 pm US Airways · US Airways Expr	5h 40m	1 stop 2h 52m in DCA
\$370 round trip		7:25 am – 1:24 pm ### US Airways Expr	5h 59m	1 stop 3h 15m in PHL
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\$370 round trip		9:00 am – 1:24 pm 🕏 US Airways · US Airways Expr.	4h 24m	1 stop 1h 40m in PHL
\$370 round trip		9:00 am – 3:15 pm	6h 15m	1 stop 3h 10m in PHL
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\$381 round trip		9:40 am – 5:33 pm 🕏 US Airways · US Airways Expr	7h 53m	1 stop 4h 06m in BOS
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\$381 round trip	and the same of th	1:15 pm - 9:24 pm  US Airways · US Airways Expr	8h 09m	1 stop 4h 23m in BOS
\$389 round trip		7:25 pm – 11:29 pm United · Mesa Airlines DIIA United	4h 04m	1 stop 1h 31m in IAD
\$399 posted telp		5:30 am – 10:18 am Pelta	4h 48m	1 stop 1h 40m in ATL
\$399 		5:30 am – 12:30 pm Delta	7h 00m	1 stop 3h 50m in ATL
\$399 round trip		7:00 am - 11:37 am Polta - Gojet Airlines DBA Delta	4h 37m	1 stop 1h 06m in LGA
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\$399 mood top		12:00 pm – 6:27 pm Delta	€ 6h 27m	1 stop 2h 53m în ATL
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\$399 round trip		1:15 pm - 6:27 pm Delta	₹ 5h 12m	1 stop 1h 45m in ATL
\$399 round trip		2:00 pm - 6:14 pm Delta · Gojet Ahrlines DBA D	ବ 4h 14m	1 stop 38m in LGA
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\$399 round trip		6:25 pm - 10:51 pm Delta	≈ 4h 26m	1 stop 50m in ATL
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\$408 round trip		11:30 am – 9:24 pm US Airways · US Airways Ex	≈ 9h 54m	1 stop 6h 09m in BOS
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\$439 round trip	III annual	11:20 am – 3:15 pm US Airways · US Airways Ex	<b>⇒ 3h 55m</b>	1 stop 47m in Pt/L
\$439 round trip	Processor Proces	2:50 pm 7:16 pm US Airways · US Airways Ex	<b>₹ 4h 26m</b> pr<	1 stop fh 20m in PHL



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#### Google Flights Economy \$ 1 adult 💠 Philadelphia (all airports) **DFW Dallas** Airline Slops Price Times More Choose an outbound flight Tuesday, July 7: Philadelphia - Dallas Sort by price + best ▼ Prices round trip, 1 adult, Economy class. Additional bag fees may apply. Best flights Learnimore 3:59 pm - 9:37 pm 6h 38m 1 stop \$190 1h 52m in EWR United · Amtrak Train ZFV-DFW round hip 1 stop \$190 5:55 pm - 11:39 pm 6h 44m 1h 55m in EWR United · Amtrak Train, Shuttle Am/ZFV-DFW round trip 12:25 pm - 2:44 pm 3h 19m Nonstop \$277 PHL-DFW Spirit round trio 5:15 am - 12:58 pm 8h 43m 1 stop \$190 United · Amtrak Train, Shuttle AmZFV-DFW 3h 49m in EWR round kip 12:16 pm - 6:29 pm ⇒ 7h 13m 1 stop \$190 United · Amtrak Train ZFV-DFW 2h 25m in EWR round top 3:00 pm - 9:37 pm ~ 7h 37m 1 stop \$190 United · Amtrak Train ZFV-DFW 2h 46m in EWR round Imp 3:59 pm - 11:39 pm 8h 40m 1 stop \$190 United · Amlrak Train, Shuttle AmZFV-DFW 3h 52m in EWR round trip 5:00 pm - 11:39 pm 1 stop 7h 39m \$190 2h 49m in EWR United · Amtrak Train, Shuttle AmZFV-DFW round trip 7:35 am - 1:50 pm 7h 15m 1 stop \$280 Spirit PHL-DFW 2h 56m in MYR round trip 6:10 am - 11:34 am 6h 24m 1 stop \$320 1h 56m in ORD Spirit PHL-DFW round (m) 8:28 am - 6:10 pm → 10h 42m 2 stops \$334 United, American · Amtrak Train ZFV-DFW EWR, AUS round hip 2 stops 9:18 am - 6:10 pm ⇒ 9h 52m \$334 United, American · Amtrak Train ZFV-DFW EWR, AUS count trap

Amarillo \$408

Lubbock \$384

Midland \$386 ODallas \$277

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Expand map »

0004		9:18 am – 8:02 pm	11h 44m	2 stops
\$334 round hip	A	United, American - Amtrak Train		EWR, AUS
\$348	A	12:16 pm – 9:02 pm Sunited, American · Amtrak Train	9h 46m ZFV-DFVV	2 stops EWR, TPA
\$350 round mp	1	7:40 am – 1:02 pm US Airways, American	6h 22m PHL-DFW	1 stop 1h 03m in TPA
\$352	A	8:28 am − 5:50 pm   United, American · Amtrak Train	<b>10h 22m</b> ZFV-DF₩	2 stops EWR, TPA
\$352 round trip	A	9:18 am – 5:50 pm 🕞 United, American · Amtrak Train	9h 32m ZFV-DFW	2 stops EWR, TPA
\$355 round trip	A	5:15 am – 2:26 pm • United, American · Amtrak Train,	10h 11m EZFV-DFW	2 stops EVVR, STL
\$359 round top	-	5:10 am – 10:53 am American - US Airwaya	6h 43m PHL-DFW	1 stop 1h 58m in ORD
\$359 round trip	-	5:10 am – 12:24 pm American – US Airways	8h 14m PHL-DFW	1 stop 3h 32m in ORD
\$359 round trip		5:10 am – 12:52 pm American · US Airways	8h 42m PFIL-DFW	1 stop 3h 55m in ORD
\$359	-	11:15 am – 5:26 pm American · US Airways	7h 11m PHL-DFW	1 stop 2h 21m in ORD
\$359 yound trip	A	2:40 pm – 7:25 pm Semerican, US Airways	5h 45m PHL-DFW	1 stop 54m in ORD
\$359 round trip	A	2:40 pm – 7:45 pm Rmerican, US Airways	6h 05m PHL-DFW	1 stop 1h 07m in ORD
\$360 round trip	A	5:55 pm – 7:38 am+1 Train	<b>14h 43m</b> ZFV-DFW	2 stops EWR, ATL
\$362 round trip	A	12:16 pm – 8:49 pm 😞 United, American · Amtrak Train	<b>9h 33m</b> ZFV-DFW	2 stops EWR, ATL
\$363 round trip	A	2:40 pm – 9:02 pm American, US Airways	7h 22m PHL-DFW	1 stop 2h 30m in ORD
<b>\$369</b> round trip		9:52 am – 4:37 pm   United · Shuttle America DBA Ur	7h 45m niiPHL-DFW	1 stop 3h 07m in IAH
\$370 round trip	1	3:40 pm – 9:02 pm US Airways, American	6h 22m PHL-DFW	1 stop 1h 04m in TPA
<b>\$372</b> round trip	jetBlue	8:39 am – 5:34 pm JetBlue	9h 55m PHL-DFW	1 stop 4h 37m in BOS
<b>\$372</b> round trip	jetBlue	10:20 am – 5:34 pm JetBlue	8h 14m PHL-DFW	1 stop 2h 54m in BOS
\$375 round trip		8:28 am – 4:10 pm United · Amtrak Train	8h 42m ZFV-DFW	1 stop 3h 58m in EWR

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<b>\$375</b> round trip		9:18 am – 4:10 pm United - Amfrak Train	÷	<b>7h 52m</b> ZEV-DEW	1 stop 3h 15m in EWR
\$379	-	5:10 am – 11:14 am American	\$	7h 04m PHL-DFW	1 stop 2h 15m in ORD
\$379 round trip		11:15 am – 4:55 pm American – US Airways	ę	6h 40m PHL-DFW	1 stop 1h 52m in ORD
\$379 round trip	-	11:15 am – 6:05 pm American · US Airways	হ	7h 50m PHL-DFW	1 stop 2h 58m in ORD
<b>\$379</b> round trip	1	1:45 pm – 7:45 pm American, US Airways	e	7h 00m PHL-DFW	1 stop 2h 00m in ORD
<b>\$385</b> round trip		1:28 pm – 7:48 pm United · Skywest DBA Uni		<b>7h 20m</b> DPHL-DFW	1 stop 2h 36m in ORD
<b>\$385</b> round trip	1	9:18 am – 5:34 pm United, American · Amtrak		9h 16m ☑FV-DFW	2 stops EWR, IND
\$394	1	7:00 am – 12:41 pm American, US Airways	হ	6h 41m PHL-DFW	1 stop 1h 32m in MCO
\$397		5:55 pm – 8:57 am+1 United · Amtrals Train, Shu		<b>16h 02m</b> nZFV-DFW	2 stops EWR, ORD
\$397 round trip		7:00 pm – 8:57 am+1 United · Amtrak Train, Shu		14h 57m nZFV-DFW	2 stops EWR. ORD
\$399 round trip	-	11:15 am – 4:05 pm American · US Airways	6	5h 50m PHL-DFW	1 stop 57m in ORD
\$402 round trip		6:59 am – 10:58 am Delta · Shuttle America De		4h 59m PHL-DFW	1 stop 57m in CVG
\$407	1	3:00 pm – 12:47 am+1 United, American · Amtrak		10h 47m ZFV-DFW	2 stops EWR, ORD
<b>\$423</b> round trip	1	5:15 am – 12:52 pm United, American · Amtrak		<b>8h 37m</b> ZFV-DFW	2 stops EWR, ORD
\$431 round trip		5:20 am – 7:49 am American · US Airways	*	3h 29m PHL-DFW	Nonstop
\$431 round trip	Company of the Compan	4:25 pm – 7:02 pm US Airways · American	÷	3h 37m PHL-DFW	Nonstop
\$431 round trip	-	6:00 pm – 8:50 pm American · US Airways	6	<b>3h 50m</b> PHL-DFW	Nonstop
\$431 round top	Continues and the second secon	8:50 pm – 11:25 pm US Airways · American	*	3h 35m PHL-DFW	Nonstop
\$433 round trip		5:14 pm – 10:08 pm Delta Endeavor Air DBA I		5h 54m SPHL-DFW	1 stop 1h 15m in DTW
\$435 round lelp	Services and the services of t	11:40 am – 2:11 pm US Airways · American	Ġ.	3h 31m PHL-DFW	Nonstop

\$435 round trip		1:40 pm – 4:12 pm American · US Airways	<b>≎ 3h 32m</b> PHL-DFW	Nonstop
\$435 round trip	-	3:15 pm – 5:49 pm American · US Airways	❤ 3h 34m PHL-DFW	Nonstop
\$438	Entered Section 2	7:35 pm – 11:47 pm US Airways	令 5h 12m PHL-DFW	1 stop 48m in CLT
\$443		5:45 pm – 12:47 am+1 American · US Airways	₹ 8h 02m PHL-DFW	1 stop 3h 02m in ORE
\$446 round top		5:35 am – 10:24 am United - Mosa Airlines DBA	≎ 5h 49m VUmlerPHL-DFW	1 stop
\$446 round trip		6:15 am – 10:42 am United · Trans States Airlin	5h 27m es DB/PHL-DFW	1 stop 11 19m in IAD
\$446		1:28 pm – 6:20 pm United · Skywest DBA Unit	◆ 5h 52m  ed ExpPHL-DFW	1 stop 1h 08m in ORD
\$446	<b>M</b>	2:41 pm – 7:15 pm United · Trans States Airlin	→ 5h 34m  es DBAPHL-DFW	1 stop 1h 21m in IAD
\$447		7:15 am – 9:41 am US Airways · American	≎ 3h 26m PHL-DFW	Nonstop
\$447 round 1/1p		8:00 am – 10:39 am US Airways · American	≎ 3h 39m PHL-DFW	Nonstop
<b>\$447</b> round trip		9:30 am – 12:00 pm US Airways · American	≎ 3h 30m PHL-DFW	Nonstop
<b>\$462</b> round trip	jetBlue	8:59 pm – 10:14 am <sup>+1</sup> JetBlue	14h 15m PHL-DEW	1 stop 8h 58m in BOS
\$486 round trip	3	12:16 pm – 7:15 pm United · Amtrak Train, Rep	<b>₹ 7h 59m</b> ublic AiZFV-DFW	2 stops EWR, IAD
<b>\$487</b> round trip		3:59 pm – 8:57 am+1 United - Amlrak Train, Skyv	≈ 17h 58m west DEZEV-DEW	2 stops EWR. IAH
\$514 round trip	1	8:28 am – 5:34 pm United, American · Amtrak	₹ 10h 06m Train, IZFV-DFW	2 stops EWR, IND
<b>\$514</b> round trip	1	8:28 am – 5:34 pm United, American · Amtrak	≈ 10h 06m Train, ØFV-DFW	2 stops EWR, IND
<b>\$528</b> round trip	1	8:28 am – 5:50 pm United, American · Amtrak	₹ 10h 22m Train, EFV-DFW	2 stops EWR, CMH
\$528 round trip	A	9:18 am – 5:50 pm United, American · Amtrak	⇒ 9h 32m Train, IZFV-DFW	2 stops EWR, CMH
\$1,415	A	8:28 am – 7:36 pm United, Delta · Amtrak Train	⇒ 12h 08m	2 stops EWR, DTW

**\$1,415** round trip

2 stops EWR, DTW

\$1,415 round trip

12:16 pm – 10:08 pm 🙃 10h 52m United, Delta - Amfrak Train, ShutZFV-DFW

2 stops EWR, DTW

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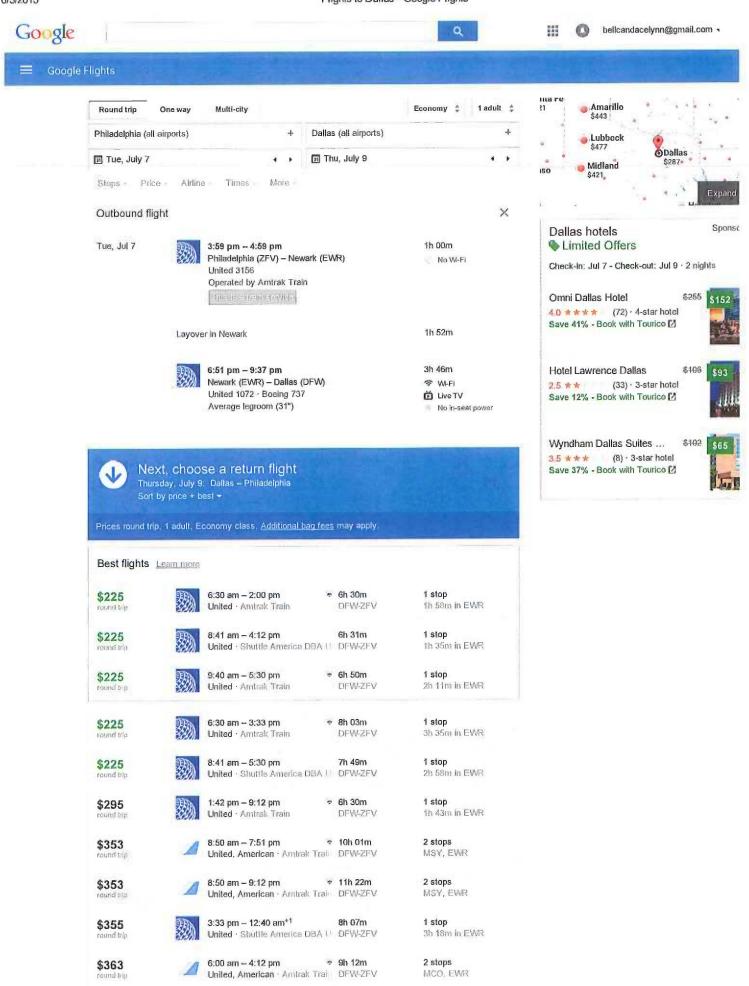
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\$363 round trip	A	6:00 am – 5:30 pm 😙 United, American - Amirak Tra	10h 30m DEW-ZEV	2 stops MOO, EWR
\$363	1	6:00 am - 7:51 pm Punited, American · American	12h 51m DFW-2FV	2 stops MCO. EWR
\$365	1	7:10 am - 7:51 pm	11h 41m DFW-ZFV	2 stops CMH, EWR
\$365	1	7:10 am - 9:12 pm United, American · Expressjel /	13h 02m DFW-2FV	2 stops CMH, EWR
\$365	1	7:10 am - 9:12 pm  United, American · Shuttle American	13h 02m DFW-ZFV	2 stops CMH, EWR
\$365	1	11:55 am - 9:12 pm ? United, American · Shuttle American	8h 17m DFW-ZFV	2 stops CMH, EWR
\$378	A	11:55 am – 12:40 am*1 ÷ United, American · Amtrak Train	11h 45m DFW-ZFV	2 stops TPA, EWR
\$379	1	8:30 am – 7:51 pm 2 United, American · Amtrak Train	10h 21m DFW-ZFV	2 stops AUS, EWR
\$382 round try	A	8:15 pm – 11:03 am*1 👨 United, American · Shuftle American	13h 48m DFW-ZFV	2 stops CMH, EWR
\$385 round top	1	11:46 am – 12:40 am*1 To United, American · Shuttle American	11h 54m DFW-ZFV	2 stops STL, EWR
\$400	A	1:30 pm – 12:40 am*1 🕏 United, American · Shuttle Ame	10h 10m DFW-ZFV	2 stops STL, EWR
\$427 round trip	1	1:30 pm – 12:40 am*1 Train United, American - Amirak Train	10h 10m DFW-ZFV	2 stops ATL, EWR
<b>\$428</b> round top	1	8:14 am – 5:30 pm & American, United · Shuttle Ame	8h 16m DFW-ZFV	2 stops PIT, EWR
\$432 round trip	1	8:30 pm – 11:03 am*1 = American, United · Republic Airl	<b>13h 33m</b> DFW-ZFV	2 stops BWI, EWR
\$434 round trip	A	10:05 am - 7:51 pm Punited, American - Amtrak Trans	8h 46m DFW-ZFV	2 stops SAT, EWR
\$444 round trip	A	1:59 pm – 12:40 am*1 🕏 United, American · Amtrak Train	9h 41m DFW-ZFV	2 stops AUS, EWR
\$453 round trip	1	10:05 pm – 2:00 pm*1 United, American · Envoy Air a	<b>14h 55m</b> DFW-ZFV	2 stops OKC, EWR
\$463 round trip	1	10:00 pm – 11:03 am <sup>+1</sup> $\Rightarrow$ United, American · Shuttle American	<b>12h 03m</b> DFW-ZFV	2 stops ORD, EWR
\$474 round trip		8:12 pm – 9:37 am*1 United · Amtrak Train	<b>12h 25m</b> DFW-ZFV	2 stops DEN, EWR
\$474 round trip	1	9:50 pm – 9:37 am <sup>+1</sup> ÷ United, American · Amtrak Train	10h 47m DFW-ZFV	2 stops DEN, EWR
\$518 round trip		8:00 am – 5:30 pm United · Amtrak Train	8h 30m DFW-ZFV	2 stops ORD, EWR
\$518 round trip		7:00 pm – 11:03 am*1 United · Shuttle America DBA ()	15h 03m DFW-ZFV	2 stops ORD, EWR
\$585 round trip	1	6:55 pm – 9:37 am+1 ** American, United · Shuttle Amr	13h 42m DFW-ZFV	2 stops PIT, EWR
\$643 round trip	A	9:55 pm – 2:00 pm <sup>+1</sup> Provided, American · Expressjet /	15h 05m DFW-ZFV	2 stops BNA, EWR

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Delta, American · Envoy Air as AnPHL-GGG

round trip

ATL, DFW

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\$386

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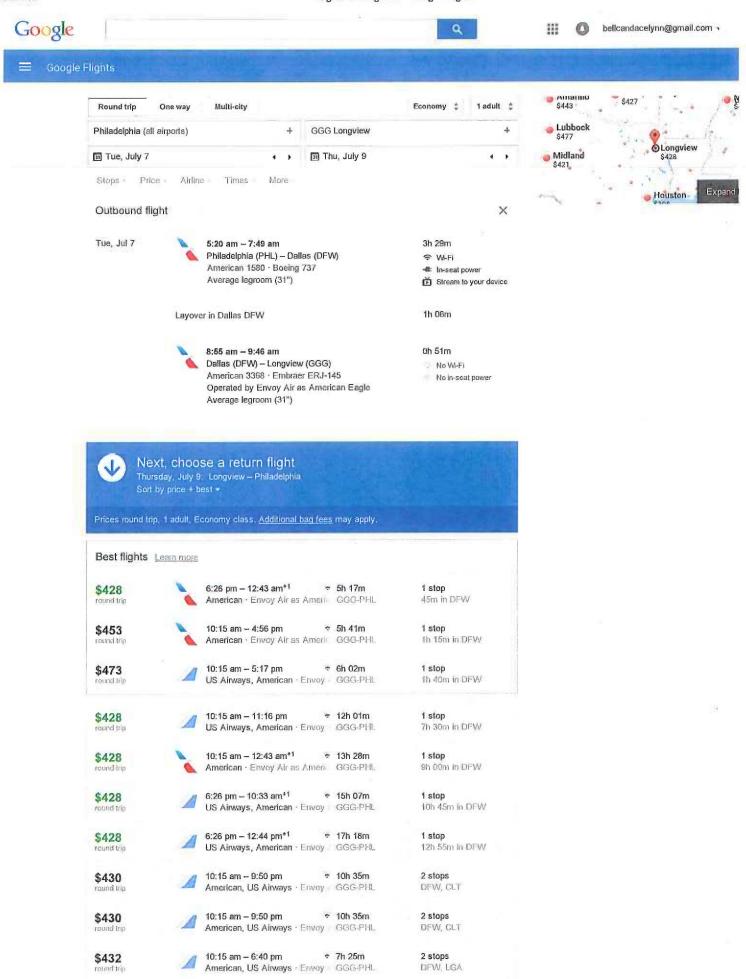
\$393

\$646	10:15 am − 5:55 pm	2 stops ATL, DFW
\$648	8:14 am – 5:55 pm • 10h 41m United, American • Shuttle AmericPHL-GGG	2 stops IAH, DFW
\$648 round trip	9:22 am – 5:55 pm 9h 33m United, American · Skywest DBA IPHL-GGG	2 stops ORD, DFW
\$675	9:52 am – 5:55 pm 9h 03m United, American · Skywest DBA IPHL-GGG	2 stops

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Delta · Endeavor Air DBA Delta C/PHL-PIA

round trip

1h 23m in DTW

Milwaykee

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\$434 round irip	翻	9:22 am − 3:23 pm ≈ 7h 01m United · Expressjet Airlines DBA LPHL-PIA	1 stop 3h 45m in ORD
\$434 round top	<b>3</b>	11:18 am – 3:23 pm 5h 05m United · Gojet Airlines DBA UniteoPHL-PIA	1 stop 1h 50m in ORD
\$434 round trip	翻	5:00 pm − 10:00 pm	1 stop 2h 38m in ORD
\$438		6:59 am − 4:07 pm  ⇒ 10h 08m  Delta · Shuttle America Delta ConPHL-PIA	2 stops CVG, DTW
\$438		11:08 am − 4:07 pm	2 stops CVG, DTW
\$464 round trip		1:28 pm − 6:29 pm	1 stop 2h 51m in ORD
\$464 round trip		5:45 pm − 10:50 pm	1 stop 2h 40m in ORD
\$504 round to ip		9:00 am − 3:46 pm	1 stop 3h 46m in ATL
\$504 round trip		10:15 am − 3:46 pm ÷ 6h 31m  Delta · Expressjet DBA Delta ComPHL-PIA	1 stop 2h 18m in ATL
\$504 round trip		3:30 pm − 9:57 pm	1 stop 3h 24m in ATL
\$504 round trip		4:45 pm − 9:57 pm	1 stop 2h 01m in ATL
\$518 round trip	A	5:00 pm − 9:43 am <sup>+1</sup> • 17h 43m United, American · Amtrak Train, IZFV-PIA	3 stops EWR, CLE, ORD
\$518 round mp	1	5:55 pm − 9:43 am <sup>+1</sup> • 16h 48m United, American · Amtrak Train, IZFV-PIA	3 stops EWR, CLE, ORD
\$528 round trip	1	8:28 am – 10:50 pm 15h 22m United, American · Amtrak Train, IZFV-PIA	3 stops EWR, PIT, ORD
\$528		9:18 am – 10:50 pm 14h 32m United, American · Amtrak Train, EZFV-PIA	3 stops EWR, PIT, ORD
\$528	A	9:18 am – 10:50 pm 14h 32m American, United · Amtrak Train, KZFV-PfA	3 stops EWR, PIT, ORD
\$528 round trip	4	3:00 pm – 10:50 pm 8h 50m United, American · Amtrak Train, ØFV-PiA	3 stops EWR, CLE, ORD
\$532 round trip	<b>3</b>	8:28 am − 10:00 pm • 14h 32m United · Amlrak Train, Republic AiZFV-PIA	3 stops EWR, PIT, ORD
\$532 round trip		9:18 am − 10:00 pm ≈ 13h 42m United · Amlrak Train, Republic AiZFV-PIA	3 stops EWR, PIT, ORD

3:59 pm - 10:14 am+1

United · Amtrak Train, Republic AiZFV-PIA

≈ 19h 15m

3 stops

EWR, PIT, ORD

\$534 round Imp

355) 5	i:00 pm − 10:14 am <sup>+1</sup> = 18h 14m	3 stops
5-7-0-741	:00 pm – 10:14 am+1 = 18h 14m Inited · Amtrak Train, Republic AiZFV-PIA	EWR, PIT, ORD
5	:00 pm – 10:14 am <sup>+1</sup> • 18h 14m	3 stops
	Inited · Amtrak Train, Republic AiZFV-PIA	EWR, PIT, ORD
		3 stops
9/11	Inited · Amtrak Train, Republic AiZFV-PIA	EWR, PIT, ORD
2.7a(76)		3 stops
	Inited · Amtrak Train, Shuttle Am/ZFV-PIA	EWR, PIT, ORD
5474V.70		3 stops
	Inited · Amtrak Train, Shullle AmZEV-PIA	EWR, PIT, ORD
		3 stops
	Inited · Amtrak Train Expressiot ZFV-PIA	EWR, CLE, ORI
		3 stops
	Inited · Amtrak Train, Expressjet ZFV-PIA	EWR, CLE, ORI
A12" A10"		3 stops
	Inited - Amtrak Train, Expressjet ZEV-PIA	EWR, CLE, ORI
A 100 A		3 stops
<i>3///</i> ) U	Inited · Amtrak Train, Expressjet ZFV-PIA	EWR, CLE, ORI
200 200 400 100		3 stops
	Inited · Amtrak Train, Expressjet ZFV-PIA	EWR, CLE, ORI
55746314		3 stops
	Inited · Amirak Train, Expressjet ZFV-PiA	EWR, GLE, ORI
2522200		3 stops
	Inited · Amtrak Train, Expressjet,ZFV-PIA	EWR, CLT. ORI
		2 stops
SAM U	nited - Amtrak Train, Expressjet ZEV-PIA	Change of sirpo
		3 stops
	nited, American · Amtrak Train, ZEV-PIA	EWR, PIT, ORD
		3 stops
A	merican, United · Amtrak Train, &FV-PIA	EWR, PIT, ORD
		3 stops
- 0	nted, American · Amirak Train, W.FV-PIA	EWR, CMH, OR
100 (100 (100 (100 (100 (100 (100 (100		3 stops
U	nited · Amitrak Train, Expressjel ZEV-PIA	EWR, ROG, OR
2.727.10		3 stops
U V	nileo · Amtrak Train, Expressjet ZFV-PIA	EWR, ROC, OR
- 19	2:16 pm – 10:50 pm 11h 34m	3 stops
		United · Amtrak Train, Republic AIZFV-PIA  5:55 pm - 10:14 am*1

12:16 pm - 10:50 pm

United, American · Amtrak Train, IZEV-PIA

\$588 round trip 3 stops EWR, IND, ORD

11h 34m

\$588	12:16 pm − 10:50 pm 11h 34n United, American · Amtrak Train, ∑FV-PI/	
\$590	6:25 am − 9:50 am ≈ 4h 25m	1 stop
round trip	Delta · Expressjet DBA Delta ComPHL-PI/	4 35m in ATL
\$598	8:28 am – 10:00 pm ÷ 14h 32n United · Amtrak Train, Commutair ZFV-PIA	
round trip	Office Arman Train, Committee 25-7-7	Lawt, NOO, OND
\$598	9:18 am – 10:00 pm • 13h 42n United · Amtrak Train, Commutair ZFV-PI/	
round trip		
\$602 round trip	12:16 pm – 10:50 pm 11h 34n American, United · Amtrak Train, ØFV-PM	
		2.1
\$604	7:00 pm – 10:14 am+1 • 16h 14n United · Amtrak Train, Expressjet ZFV-PI	
\$608	12:16 pm – 10:50 pm 👳 11h 34n	a 3 stops
round trip	American, United · Amtrak Train, EZFV-PIA	EWR, BOS, ORD
\$608	12:16 pm – 10:50 pm 🕝 11h 34n	n 3 stops
resund trip	American, United · Amtrak Train, fZFV-PIA	EWR, BOS, ORD
\$610	5:15 am – 3:23 pm 🙃 11h 08n	2 stops
round trip	United · Amtrak Train, Expressjet ZFV-PI/	Change of airport
\$613	3:00 pm – 10:00 pm 🕝 8h 00m	2 stops
round trip	United · Amtrak Train, Expressjet ZFV-PIA	\ EWR, ORD
\$624	5:55 pm – 10:14 am <sup>+1</sup> 17h 19n	
round tray	United · Amtrak Train, Skywest DEZFV-PIA	EWR, ATL, ORD
\$626	5:15 am – 5:03 pm 12h 48n	
round trip	United, American · Amtrak Train, 9ZFV-PIA	A EWR, DFW
\$630	5:15 am – 4:07 pm ÷ 11h 52m	
round inp	United, Delta · Amtrak Train, EndeZFV-Pt/	EWR, CLE, DTW
\$632	8:35 pm – 9:43 am+1	
round trip	— US Aliways, American - Envoy Air File-Civ	TOTALLI OND
\$637	5:15 am - 4:07 pm	•
round trip	Delta, United · Amtrak Train, EndeZFV-PIA	EWR, BOS, DTW
\$642	8:23 pm – 9:43 am <sup>+1</sup> ÷ 14h 20m	
round trip	United, American · Envoy Air as APHL-PIA	A THI OUR III ORD
\$642	8:23 pm – 10:14 am+1	
round trip	United · Expressjet Airlines DBA UPHL PIA	11h 31m in ORD
\$652	12:16 pm – 10:23 pm	No. Common of the Principle of the
round trip	Office, Affectal Affica Hall, El VIII	LVIII, DI VV
\$660	7:00 pm – 10:14 am+1 = 16h 14m	
round top	United · Amtrak Train, Shuttle AmZEV-PIA	LYMY, DOI , OND
\$666	5:15 am – 3:46 pm • 11h 31m	The state of the s
round trip	Delta, United · Amtrak Train, ExpnZFV-PIA	CVIII, OLI, MIL
	45	

****		5:45 am 2:46 am	2 stone
\$666 round trip	A	5:15 am − 3:46 pm	3 stops EWR. CLT, ATL
\$666	A	5:15 am – 4:07 pm • 11h 52m	3 stops
cound trip.	James .	Delta, United · Amtrak Train, ExprZFV-PIA	EWR, CLT, DTV
\$666	A	5:15 am − 4:07 pm ≈ 11h 52m Delta, United · Amtrak Train, ExprZFV-PIA	3 stops EWR, GLT, DTV
round trip		Deta, Onited - Athitak Italii, Expizery-ina	EVIN, CCI, DIV
\$666	A	12:16 pm – 9:57 pm 2 10h 41m  Delta, United · Amirak Train, ShutZFV-PIA	3 stops EWR, CLT, ATC
round trip		Dolo, office with the second of the second o	
\$695	A	5:15 am – 1:19 pm 9h 04m United, American · Amtrak Train, IZFV-PIA	3 stops EWR, DAY, ORI
Escattacinus:			
\$695 round trip		3:00 pm – 10:50 pm 8h 50m United, American - Amtrak Train, ØFV-PIA	3 stops  EWR, GRR, OR
	22	000	0.01
\$701 round trip		8:00 pm – 10:14 am <sup>+1</sup> 15h 14m United · Amtrak Train, Expressjet ZFV-PIA	3 stops EWR, BDL, ORD
APPO 4	ED	9:18 am – 6:29 pm 10h 11m	2 stops
\$721 round trip	<i>59</i> 7)	United · Amtrak Train, Expressjet ZFV-PIA	Change of airpor
\$727		8:25 pm – 9:50 am <sup>+1</sup> • 14h 25m	1 stop
round trip		US Airways, Delta · Expressjet DEPHL-PIA	10h 29m in ATL
\$730	ATE.	8:28 am – 6:29 pm • 11h 01m	2 stops
round trip		United · Amlrak Train, Expressjet ZFV-PIA	Change of airpor
\$766		8:28 am – 6:29 pm 11h 01m	2 stops
round trip	200	United · Amtrak Train, Expressjet ZFV-PIA	Change of airpor
\$771		5:15 am – 3:23 pm • 11h 08m United · Amtrak Train, Expressjet ZFV-PtA	2 stops EWR, ORD
round trip	2000	Ontes Annual Han, Expressional vivi	Lvvi, Oito
\$771 round trip		12:16 pm – 10:00 pm	2 stops EWR, ORD
round (np			
\$782 round trip		8:28 am – 3:23 pm 7h 55m United · Amfrak Train, Shuttle AmZFV-PIA	2 stops EWR, ORD
		10.10	
\$782 round Imp		12:16 pm – 6:29 pm 7h 13m United · Amtrak Train, Expressjet ZFV-PIA	2 stops EWR, ORD
coo	AEE.	3:59 pm – 3:23 pm <sup>+†</sup> 24h 24m	2 stops
\$882 round trip		United · Amtrak Train, Expressjet ZFV-PIA	EWR, ORD
\$882	TEN.	5:00 pm - 3:23 pm <sup>+1</sup> 23h 23m	2 stops
round trip		United - Amtrak Train, Shuttle AmZFV-PIA	EWR, ORD
\$882	M	5:00 pm – 3:23 pm <sup>+1</sup> 23h 23m	2 stops
round trip	200	United - Amirak Train, Expressjet ZFV-PIA	EWR. ORD
\$882	AR	5:00 pm – 3:23 pm <sup>+1</sup> 23h 23m	2 stops
round trip	5///	United · Amtrak Train, Shuttle Am/ZFV-PIA	EWR, ORD

5:55 pm – 3:23 pm+1 22h 28m United · Amtrak Train, Shuttle AmZFV-PIA

\$882

round trip

2 stops

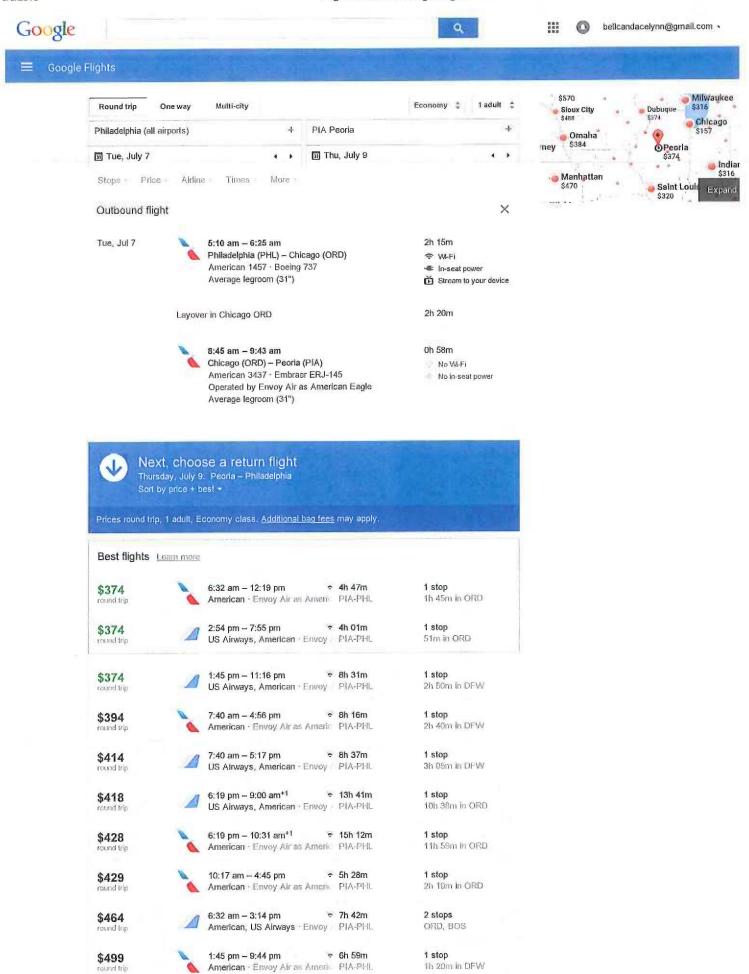
EWR, ORD

\$882 round trip	1	7:00 pm – 1:19 pm+1 United, American · Amtrak		2 stops EWR, ORD
\$882		7:00 pm – 3:23 pm+1 United - Amlrak Train, Shu	21h 23m Ille Am⊄FV-PIA	2 stops EWR, ORD
\$891 round trip	1	7:00 pm – 9:43 am+1 United, American · Amtrak	<b>15h 43m</b> Train, ØFV-PIA	2 stops EWR, ORD
\$901		5:15 am – 1:19 pm United, American · Amtrak	₹ 9h 04m Train, IZFV-PIA	2 stops EWR, ORD
\$901 round trip	A	3:00 pm - 10:50 pm United, American · Amtrak		2 stops EWR, ORD

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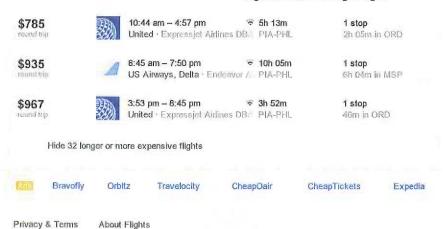
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## Flights to Peoria - Google Flights

		Flights to Peoria - Google Flights			
\$499 round trip	A	6:19 pm – 1:12 am <sup>+1</sup> Sus Airways, American - Envoy	5h 53m PIA-PHL	1 stop 2h 43m in ORO	
\$511 round trip	A	6:32 am – 2:47 pm American, US Airways · Envoy	<b>7h 15m</b> PIA-PHL	2 stops ORD, BNA	
<b>\$529</b> round trip	A	2:54 pm – 10:00 pm US Airways, American · Envoy	<b>6h 06m</b> PIA-PHL	1 stop 2h 51m in ORD	
\$605 round trip	A	2:54 pm – 10:59 pm American, US Airways · Envoy	<b>7h 05m</b> PIA-PHL	2 stops ORD, DCA	
\$625		8:45 am – 4:34 pm Polita · Endeaver Air DBA Delta	6h 49m PIA-PHL	1 stop 2h 52m in MSP	
\$629		8:45 am ~ 5:27 pm = 5 Delta · Endeavor Air DBA Delta	7h 42m PIA-PHL	2 stops MSP, DTW	
\$634	A	10:17 am – 6:07 pm — American, US Airways · Envoy	6h 50m PIA-PHL	2 stops ORD, BOS	
\$634	A	10:17 am – 6:34 pm F American, US Airways · Envoy	7h 17m PIA-PHL	2 stops ORD, BOS	
\$662 round trip	A	10:17 am – 6:40 pm S American, US Airways · Envoy	<b>7h 23m</b> PIA-PHL	2 stops ORD, LGA	
\$662	A	10:17 am – 6:40 pm SAmerican, US Airways · Envoy	7h 23m PIA-PHL	2 stops ORD, LGA	
\$685 round trip		6:00 am – 12:01 pm Polita · Expressjet DBA Delta C	5h 01m PIA-PHL	1 stop 1h 04m in ATL	
\$685 round trip		10:15 am – 5:35 pm - Delta · Expressjet DBA Delta C	<b>6h 20m</b> PIA-PHL	1 stop 2h 17m in ATL	
\$685 round trip		4:11 pm – 12:11 am+1 Polita · Expressjet DBA Delta C	7h 00m PIA-PHL	1 stop 3h 08m in ATL	
\$685 round trip		4:32 pm – 10:05 pm ¬¬¬ Delta · Endeavor Air DBA Delta	4h 33m PIA-PHL	1 stop 1h 26m in DTW	
\$685 round trip		4:32 pm - 11:28 pm Pelta · Endeavor Air DBA Delta ·	5h 56m PJA-PHL	1 stop 2h 51m in DTW	
\$689 round trip		8:45 am - 7:20 pm • Delta · Endeavor Air DBA Delta	9h 35m PIA-PHL	2 stops MSP, DTW	
\$689 round trip		8:45 am − 7:20 pm Polita · Endeavor Air DBA Della	9h 35m PIA-PHL	2 stops MSP, DTW	
<b>\$725</b> round trip		5:15 am – 10:43 am United · Expressjet Airlines DB/	4h 28m PIA-PHL	1 stop 1h 25m in ORD	
\$725 round trip		6:59 pm - 11:59 pm • United · Expressjet Airlines DBA	4h 00m PIA-PHL	1 stop 59m in ORD	
\$740 round top		10:15 am − 3:57 pm	4h 42m PJA-PHL	1 stop 42m in ATL	
\$740 round trip		4:11 pm – 9:51 pm • Delta · Expressjet DBA Delta C	4h 40m PIA-PHL	1 stop 41m in ATL	
\$767 round trip	-	6:19 pm – 12:19 pm <sup>+1</sup> • American · Envoy Air as Americ	17h 00m PIA-PHL	1 stop 13h 48m in ORD	
\$777 round trip	A	5:15 am - 10:31 am • American, United · Expressjet /	4h 16m PIA-PHL	1 stop 1h 09m in ORD	
\$777 round trip	A	5:15 am – 12:19 pm   American, United · Expressjet /	<b>6h 04m</b> PIA-PHL	1 stop 2h 58m in ORD	



round trip

#### Google Flights 1 adult 💠 Economy 🕏 Philadelphia (all airports) SHV Shreveport Stops -Price Airline Times More -Choose an outbound flight Tuesday, July 7: Philadelphia - Shreveport Sort by price + best ▼ Prices round trip, 1 adult, Economy class. Additional bag fees may apply. Best flights Learnimore 1 stop 5:20 am - 9:41 am ≈ 5h 21m \$393 American · Expressjet as AmericaPHL-SHV 56m in DFW round his 11:40 am - 4:14 pm ÷ 5h 34m 1 stop \$393 US Airways, American - ExpressjePHL-SHV 1h 04m in DFW round trip ≈ 6h 03m 1 stop 9:52 am - 2:55 pm \$418 1h 37m in 1AH United · Expressjet Airlines DBA LPHL-SHV round trip 4h 50m 1 stop 12:45 pm - 4:35 pm \$418 53m in ATL Delta PHL-SHV round trip 5:20 am - 11:21 am ~ 7h 01m 1 stop \$393 American · Expressjet as AmericaPHL-SHV 2h 31m in DFW round trip 1 stop → 7h 20m 10:15 am - 4:35 pm \$393 3h 12m in ATL PHL-SHV Delta round trip 11:25 am - 4:35 pm 중 6h 10m 1 stop \$393 Delta PHL-SHV 2h 09m in ATL round trip 11:40 am - 5:43 pm 1 stop \$393 US Airways, American · ExpressjePHL-SHV 2h 36m in DFW round trip 4:25 pm - 9:32 pm - 6h 07m 1 stop \$393 1h 28m in DFW US Airways, American · ExpressjePHL-SHV round trip ⇒ 6h 40m 1 stop 7:15 am - 12:55 pm \$418 US Airways, American · ExpressjePHL-SHV 2h 14m in DFW round trip 8:00 am - 12:55 pm ∘ 5h 55m 1 stop \$418 US Airways, American · ExpressjePHL-SHV 1h 16m in DFW round trip 9:30 am - 4:14 pm 1 stop \$418 US Airways, American · ExpressjePHL-SHV 3h 15m in DFW

\$386

Shreveport

Alexandria

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\$418 round trip	9:52 am – 4:46 pm • 7h 54m United · Expressjel Airlines DBA LPHL-SHV	1 stop 3h 28m in I/Al-I
\$418	3;30 pm − 9:46 pm	1 stop 3h 15m in ATL
\$422 round trip	5:10 am – 12:55 pm ≈ 8h 45m American · Expressjet as AmericaPHL-SHV	2 stops ORD, DFW
\$422	5:10 am – 12:55 pm   Sh 45m  American · Expressjet as AmericaPHL-SHV	2 stops ORD, DFW
\$438 round Urp	3:15 pm − 9:32 pm	1 stop 2h 41m in DFW
\$443 round trip	8:14 am − 2:55 pm	1 stop 3h 19m in IAH
\$453	9:00 am – 2:30 pm • 6h 30m  Delta · Expressjet DBA Delta ComPHL-SHV	1 stop 2h 36m in ATL
\$453	10:15 am − 2:30 pm • 5h 15m  Delta Expressjat DBA Delta ConiPHL-SHV	1 stop 1h 08m in ATL
<b>\$453</b> round trip	3:15 pm – 7:49 pm 5 5h 34m American · Expressjet as AmericaPHL-SHV	1 stop 56m in DFW
\$453	4:45 pm – 9:46 pm ÷ 6h 01m  Delta Expressiol DBA Delta ConiPHL SEIV	1 stop 1h 52m in ATL
\$453	6:20 pm – 11:47 pm - 6h 27m  Delta · Expressjet DBA Delta ConPHL-SHV	1 stop 2h 11m in ATL
\$453	7:30 pm – 11:47 pm   The state of the state	1 stop 1h 12m in ATL
\$474 round trip	3:00 pm − 9:41 am+1	2 stops EWR, DFW
\$474 round trip	3:59 pm – 9:41 am+1 18h 42m United, American · Amtrak Train, SEV-SHV	2 stops EWR, DFW
\$474 round trip	3:59 pm – 9:41 am+1 ÷ 18h 42m United, American · Amtrak Train, EZFV-SHV	2 stops EWR, DFW
\$474 round trip	5:00 pm – 9:41 am+1 17h 41m United, American · Amtrak Train, ØFV-SI-IV	2 stops EWR, DFW
\$474 round trip	5:55 pm – 9:41 am*1 16h 46m United, American · Amtrak Train, ZFV-SHV	2 stops EWR, DFW
\$474 round trip	5:55 pm – 12:55 pm+1 20h 00m United, American · Amtrak Train, ZFV-SHV	2 stops EWR, DFW
\$475 round trip	5:15 am – 5:43 pm 13h 28m United, American · Amtrak Train, ØFV-SHV	2 stops EWR, DFW
A	F:45 am 0:22 nm 475 47	2 otomo

\$475

5:15 am – 9:32 pm 17h 17m United, American · Amtrak Train, \$ZFV-SHV

2 stops EWR, DFW

\$475 round trip	12:16 pm − 9:32 pm	2 stops EWR, DFW
\$487 round hip	3:59 pm – 11:21 am+1  ⇒ 20h 22m United, American · Amtrak Train, IZFV-SHV	2 stops EWR, DFW
\$487	3:59 pm – 11:21 am+1 20h 22m United, American - Amtrak Train, ZFV-SHV	2 stops EWR, DFW
\$487 round trip	5:00 pm – 11:21 am+1 19h 21m United, American · Amtrak Train, 3ZFV-SHV	2 stops EWR, DFW
\$487 round trip	5:55 pm – 11:21 am+1 18h 26m United, American · Amtrak Train, ⊠FV-SHV	2 stops EWR, DFW
\$491 round trip	5:15 am – 4:14 pm 11h 59m United, American · Amtrak Train, ⊠FV-SHV	2 stops EWR, DFW
\$498 round trip	7:45 am − 12:05 pm  ⇒ 5h 20m  Delta · Expressjet DBA Delta ConPHL-SHV	1 stop 1h 20m in ATL
\$498 round trip	3:30 pm − 7:52 pm	1 stop 1h 20m in ATL
\$537 round wip	5:15 am – 7:49 pm 15h 34m United, American - Amtrak Train, ØFV-SHV	2 stops EWR, DFW
\$572 round top	6:00 pm − 9:41 am+1 = 16h 41m  American · Expressjet as AmericaPHL-SHV	1 stop 11h 55m in DFW
\$572 round trip	8:50 pm – 9:41 am*1 = 13h 51m US Airways, American - ExpressjePHL-SHV	1 stop 9h 20m in DFVV
\$578 round trip	9:18 am – 9:32 pm 13h 14m American, United · Amtrak Train, IZFV-SHV	3 stops EWR, GSO, DFW
\$585 round trip	8:50 pm – 11:21 am <sup>+1</sup> • 15h 31m US Airways, American · ExpressjcPHL-SHV	<b>1 stop</b> 10h 55m in DFW
		1 stop
\$598	US Airways, American · ExpressjcPHL-SHV 8:28 am - 7:49 pm 12h 21m	1 stop 10h 55m in DEVV 3 stops
\$598 round trip	US Airways, American · ExpressjePHL-SHV  8:28 am - 7:49 pm American, United · Amtrak Train, IZFV-SHV  9:18 am - 7:49 pm 11h 31m	1 stop 10h 55m in DFW 3 stops EWR, GSO, DFW 3 stops
\$598 round trip: \$598 round trip: \$603	US Airways, American · ExpressjePHL-SHV  8:28 am - 7:49 pm	1 stop 10h 55m in DFW 3 stops EWR, GSO, DFW 3 stops EWR, GSO, DFW
\$598 round trip \$598 round trip \$603 round trip \$603	US Airways, American · ExpressjcPHL-SHV  8:28 am - 7:49 pm	1 stop 10h 55m in DFW  3 stops EWR, GSO, DFW  3 stops EWR, GSO, DFW  3 stops EWR, IND, DFW  3 stops
\$598 round trip \$598 round trip \$603 round frip \$603 round frip	US Airways, American · ExpressjePHL-SHV  8:28 am - 7:49 pm	1 stop 10h 55m in DFW  3 stops EWR, GSO, DFW  3 stops EWR, IND, DFW  3 stops EWR, IND, DFW  3 stops EWR, IND, DFW

Sun to procedure another return

\$617 round trip	A	5:15 am – 2:30 pm • 10h 15m United, Delta · Amtrak Train, ExprZEV-SHV	3 stops EWR. CLT, ATL
\$617 round trip	A	9:18 am − 7:52 pm	3 stops EWR, CLT, ATL
\$617 round trip	1	12:16 pm – 9:46 pm	3 stops EWR, CLT, ATL
\$635 round trip		8:28 am – 10:12 pm • 14h 44m United - Amtrak Train, Republic AiZFV-SHV	3 stops EWR, PIT, IAH
\$635 round trip		9:18 am − 10:12 pm • 13h 54m United • Amtruls Train, Republic AiZFV-SHV	3 stops EWR, PIT, IAH
\$635		12:16 pm – 10:12 pm • 10h 56m United Amfrak Train, Shuttle AmZEV-SHV	3 stops EWR, PIT, IAH
\$639 round trip	<b>M</b>	12:16 pm – 10:12 pm • 10h 56m United · Amtrak Train, Expressjet ZFV-SHV	2 stops Change of airport
\$644		8:28 am – 10:12 pm • 14h 44m United • Arnhak Train, Expressjet ZFV-SHV	3 stops EWR, TPA, IAH
\$644 round hip		9:18 am − 10:12 pm ÷ 13h 54m United · Amtrak Train, ExpressJet ZFV-SHV	3 stops EV/R, TPA, IAH
\$660 round trip	1	9:18 am − 7:49 pm • 11h 31m American, United · Amtrak Train, IZFV-SHV	3 stops EWR, IND, DFW
\$660 round trips	A	9:18 am − 9:32 pm ≈ 13h 14m United, American · Amtrak Train, EZFV-SHV	2 stops EWR, DFW
\$695 nound trip	A	8:28 am − 7:52 pm • 12h 24m Delta, United · Amtrak Train, ExprZFV-SHV	3 stops EWR, CLT, ATL
\$695 yound trip	4	8:28 am – 7:52 pm • 12h 24m  Delta, United · Amtrak Train, ExprZFV-SHV	3 stops EWR, CLT, ATL
\$695	A	9:18 am − 7:52 pm	3 stops EWR, CLT, ATL
\$695 round trip	1	12:16 pm – 11:47 pm • 12h 31m  Delta, United · Amtrak Train, ShutZFV-SHV	3 stops EWR, CLT, ATL
\$695 round trip:	A	12:16 pm – 11:47 pm • 12h 31m  Delta, United · Amlrak Train, ShutZFV-SHV	3 stops EWR, CLT, ATL
\$709 round trip		5:15 am – 4:46 pm • 12h 31m United · Amtrak Train, Expressjet ZFV-SHV	3 stops EWR, BOS, IAH
\$720 round tree	A	5:15 am − 2:30 pm	3 stops EWR, RDU, ATL
\$742		3:00 pm – 10:12 pm 8h 12m United - Amfrek Train, Expressjet ZFV-SHV	2 stops EWR, IAH
\$750 round trip		8:28 am – 4:46 pm 99h 18m United · Amtrak Train, Expressjet ZFV-SHV	2 stops EWR, IAH

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\$750	9:18 am − 4:46 pm	2 stops EWR, IAH
\$755 round trip	12:16 pm – 10:12 pm 10h 56m United · Amtrak Train, Expressjet ZFV-SHV	2 stops EWR, IAH
\$800	9:18 am − 6:59 pm	2 stops EWR, IAH
\$800 round trip	9:18 am – 6:59 pm • 10h 41m United · Amtrak Train, Expressjot ZFV-SHV	2 stops EWR, IAH
\$882 round trip	5:55 pm – 12:05 pm+1 19h 10m United, Delta - Amtrak Train, ExprZFV-SHV	2 stops EWR, ATL
\$1,191 round trip	5:47 pm – 10:12 pm ÷ 5h 25m United - Expressjet Airlines DBA UPHL-SHV	1 stop 42m in IAH
\$1,227	6:43 am – 2:55 pm 9h 12m United - Expressjet Airlines DBA LPHL-SHV	2 stops ORD, IAH
\$1,318	5:47 pm – 8:34 am+1 > 15h 47m United Skywest DBA United ExpPML-SHV	1 stop 11h 02m in IAH
\$1,352 round trip	6:43 am – 4:46 pm • 11h 03m United · Expressjel Airlines DBA LPHL-SHV	2 stops ORD, JAH
\$1,352	6:43 am – 4:46 pm • 11h 03m United · Expressjet Airlines DBA LPHL-SHV	2 stops ORD, IAH

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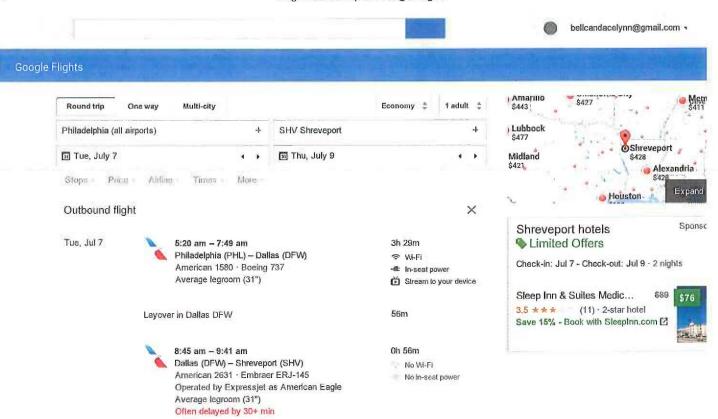
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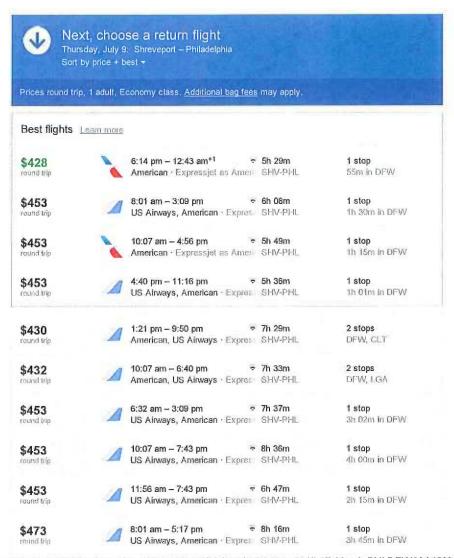
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\$473 round trip	A	10:07 am – 5:17 pm US Airways, American · Expres	6h 10m SHV-PHL	1 stop 1h 40m in DFW
\$492 round trip	A	6:32 am - 2:51 pm ** American, US Airways · Expres	7h 19m SHV-PHL	2 stops DFW, DCA
\$533		8:01 am – 4:56 pm	7h 55m SHV-PHL	1 stop 3h 20in in DFW
\$593		1:21 pm – 9:44 pm American · Expressjet as Amer	• <b>7h 23m</b> SHV-PHL	1 stop 2h 48m in DFW
\$593		4:40 pm – 12:43 am <sup>+1</sup> American · Expressjet as Ameri	7h 03m SHV-PHL	1 stop 2h 31m in DFW
\$597	1	6:32 am – 3:05 pm American, US Airways · Expres	• 7h 33m SHV-PHL	2 stops DFW, ORD
\$623	A	6:32 am – 2:47 pm - American, US Airways · Expres	• 7h 15m SHV-PHL	2 stops DFW, BNA
\$655	1	1:21 pm - 11:16 pm US Airways, American · Expres	8h 55m SHV-PHL	1 stop 4h 16m in DFW
\$683		8:01 am – 2:19 pm  American · Expressiet as Ameri	5h 18m SHV-PHL	1 stop 50m in DFW
\$759			5h 31m	1 stop 1h 39m in ATL
<b>\$759</b>			6h 47m	1 stop 2h 59m in ATL
\$759		6:30 am - 12:01 pm - Delta · Expressjet DBA Delta C	4h 31m SHV-PHL	1 stop 35m in ATL
\$759		6:30 am – 1:17 pm - Delta · Expressjet DBA Delta C	5h 47m SHV-PHL	<b>1 stop</b> 1h 55m in ATL
\$759 round trip		7:30 am – 1:17 pm	4h 47m SHV-PHL	1 stop 55m in ATL
\$759 round trip		5:10 pm – 12:11 am <sup>+1</sup> Selta	* 6h 01m SHV-PHL	1 stop 2h 06m in ATL
\$784 round trip		2:56 pm – 9:51 pm Polita · Expressjet DBA Delta C	5h 55m SHV-PHL	1 stop 1h 56m in ATL
<b>\$792</b> round trip	1	5:10 pm – 8:41 am <sup>+1</sup>	14h 31m SHV-PHL	1 stop 10h 42m in ATL
\$842 round trip	A	5:30 am – 1:00 pm • US Airways, Delta · Expressjet	6h 30m SHV-PHL	1 stop 2h 46m in ATL
<b>\$842</b> round trip	A	2:56 pm – 9:50 pm Substitution State	5h 54m SHV-PHL	1 stop 2h 04m in ATL
\$859 round trip	<b>M</b>	5:35 am - 12:15 pm • United · Expressjet Airlines DB	5h 40m SHV-PHL	1 stop 1h 03m in IAH
\$859 round trip	观	1:43 pm – 10:12 pm • United • Skywest DBA United E	7h 29m SHV-PHL	1 stop 3h 02m in IAH
\$859 round trip		3:16 pm – 11:35 pm • United • Expressjet Airlines DB	7h 19m SHV-PHL	1 stop 2h 50m in IAH
\$859 round trip		5:16 pm – 11:35 pm • United · Expressjet Airlines DB	5h 19m SHV-PHL	1 stop 45m in IAH
\$910 round trip	A	3:16 pm – 9:52 pm Starways, United · Expressje	5h 36m SHV-PHL	1 stop 1h 10m in IAH

\$949 3:16 pm - 10:12 pm ~ 5h 56m 1 stop United · Expressjet Airlines DB. SHV-PHL th 32m in IAH 12:30 pm - 6:50 pm € 5h 20m \$1,084 1 stop Delta · Expressjel DBA Delta C SHV-PHL 1h 17m in ATL 5:16 pm - 12:15 pm+1 ₹ 17h 59m 1 stop \$1,426 United · Expressjet Airlines DB \* SHV-PHL 13h 19m in IAH

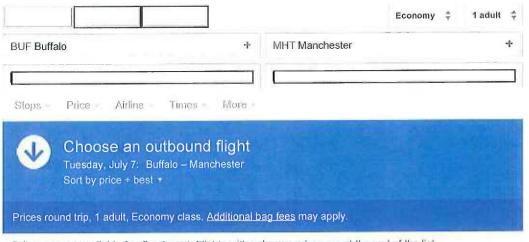
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\$309

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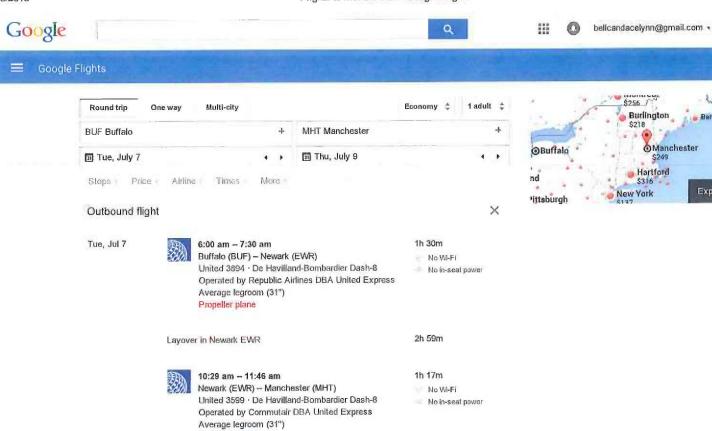
Prices are not available for: Southwest. Flights with unknown prices are at the end of the list.

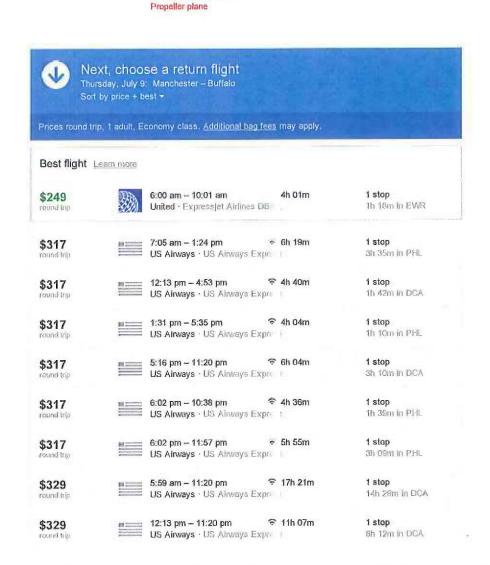
Nonstops available if you fly to Boston (BOS)
44 miles from Manchester round trip Best flights Learning 7:02 pm - 10:57 pm 〒 3h 55m 1 stop \$206 1h 20m in LGA Delta - Gojet Airlines DBA Delta C qui basos 1 stop 6:00 am - 11:46 am 5h 46m \$280 2h 59m in EWR United - Republic Airlines DBA Un round trip 9:18 am - 12:54 pm 1 stop ⇒ 3h 36m \$282

round trip	US Airways · US Airways Express	45m in PHL	
<b>\$272</b> round trip	7:00 am – 11:49 am • 4h 49m Delta · Shuttle America Delta Con	1 stop 2h 01m in LGA	
\$282 round trip	7:00 am – 11:00 am	1 stop 1h 15m in PHL	
\$282 round trip	7:00 am – 12:54 pm	1 stop 3h 10m in PHL	
\$282 round trip	5:30 pm - 11:38 pm	1 stop 3h 16m in DCA	
\$282 round trip	6:10 pm – 10:01 pm	1 stop 1h 05m in PHL	
\$323 round trip	5:30 am – 8:53 am 3h 23m US Airways · US Airways Express	1 stop 49m in PHL	
<b>\$323</b> round trip	5:30 am − 11:00 am  5 5h 30m US Airways · US Airways Express	1 stop 2h 54m in PHL	

\$342 round trip  \$363	o to transmission of the	in a memor			
Sa63					1 stop 3h 34m in EWR
\$363 round trip  \$363 1:00 pm - 5:31 pm					1 stop 3h 06m in LGA
### Sa63   Sa63			****		1 stop 2h 14m in DCA
### Safe  ### Sa					1 stop 1h 47m in PHL
Sage					1 stop 1h 18m in PHL
S404   10:36 am - 3:59 pm					1 stop 3h 28m in PHL
S429					1 stop 3h 06m in LGA
S780   6:10 pm - 8:53 am*1   14h 43m   1 stop   12h 03m in					1 stop 2h 49m in EWR
\$780   7:41 pm - 8:53 am+1   13h 12m   1 stop   10h 40m in					1 stop 1h 28m in DTW
Check price touthwest com       7:20 am − 11:45 am Southwest       4h 25m Southwest       1 stop 1h 55m in 1h 55m in 1h 55m in 1h 35m in					1 stop 12h 03m in PHL
Southwest   Sou	THE RESERVE OF THE PERSON NAMED IN COLUMN TO SERVE OF THE				1 stop 10h 40m in PHL
Southwest com         Southwest         1h 35m in           Check price southwest com         2:55 pm − 8:00 pm Southwest         ⇒ 5h 05m 1 stop 2h 40m in           Check price southwest com         4:40 pm − 8:00 pm Southwest         ⇒ 3h 20m 1 stop 50m in BV           Check price check price southwest com         6:45 pm − 11:40 pm         ⇒ 4h 55m 1 stop		Δ		4h 25m	1 stop 1h 55m in BWI
Southwest 2h 40m in  Check price 4:40 pm – 8:00 pm 3h 20m 1 stop  Southwest 50m in BV  Check price 6:45 pm – 11:40 pm 2h 55m 1 stop		1		3h 55m	1 stop 1h 35m in BWI
Southwest 50m in BV  Check price 6:45 pm − 11:40 pm • 4h 55m 1 stop		1		≎ 5h 05m	1 stop 2h 40m in BWI
		Δ		∻ 3h 20m	<b>1 stop</b> 50m in BVVI
CASE IN CONTRACTOR CON	Check price	A	6:45 pm - 11:40 pm Southwest	∻ 4h 55m	1 stop 2h 30m in BWI

Hide 16 longer or more expensive flights





Expand

11139		A.A
5:40 pm – 11:58 pm United · Expressjet Airlines DB.	6h 18m	1 stop 3h 30m in EWR
		1 stop 7h 59m in DCA
		2 stops PHL, DCA
		2 stops PHL, DCA
		1 stop 51m in PHL
		1 stop 3h 09m in DCA
9:18 am – 1:24 pm US Airways · US Airways Exp((	4h 06m	1 stop 1h 30m in PHL
9:18 am - 3:15 pm US Alrways · US Airways Expri	5h 57m	1 stop 3h 00m in PHL
		1 stop 3h 09m in PHL
		2 stops PHL, DCA
The state of the s		2 stops EWR, DCA
9:57 am – 2:33 pm United · Commutair DBA United	4h 36m	1 stop 1h 4Sm in EWR
The second secon		1 stop 2h 44m in LGA
north)		2 stops PHL, BOS
Alexander Control Control		1 stop 1h 51m in LGA
12:22 pm – 5:28 pm United · Commutair DBA United	5h 06m	1 stop 2h 13m in EWR
12:22 pm – 6:55 pm United · Commutair DBA United	6h 33m	1 stop 3h 32m in EWR
5:16 pm – 11:29 pm US Airways, United · US Airway	6h 13m	1 stop Change of airport
		2 stops EWR, DCA
		2 stops PHL, DCA
		1 stop 3h 05m in LGA
12:30 pm - 4:50 pm Solution	' 4h 20m	1 stop 1h 13m in DTW
		1 stop 1h 37m in DTW
3:36 pm – 7:16 pm US Airways · US Airways Expre	3h 40m	1 stop 51m in PHL
	5:40 pm – 11:58 pm United · Express jet Airlines DB.  5:59 am – 4:53 pm US Airways · US Airways Express  7:05 am – 4:53 pm US Airways · US Airways Express  5:05 am – 4:53 pm US Airways · US Airways Express  5:05 am – 8:53 am US Airways · US Airways Express  5:59 am – 12:10 pm US Airways · US Airways Express  9:18 am – 1:24 pm US Airways · US Airways Express  9:18 am – 3:15 pm US Airways · US Airways Express  9:18 am – 4:53 pm US Airways · US Airways Express  9:18 am – 4:53 pm US Airways · US Airways Express  9:18 am – 4:53 pm US Airways · US Airways Express  9:57 am – 4:53 pm United · Commutair DBA United  6:00 am – 11:37 am Delta · Endeavor Air DBA Delta  7:05 am – 5:33 pm US Airways · US Airways Express  6:39 pm – 11:15 pm Delta · Shuttle America Delta C  12:22 pm – 5:28 pm United · Commutair DBA United  5:16 pm – 11:29 pm US Airways · US Airways Express  6:39 pm – 11:10 pm US Airways · US Airways Express  6:39 pm – 11:10 pm US Airways · US Airways Express  6:39 pm – 11:10 pm US Airways · US Airways Express  6:39 pm – 11:20 pm US Airways · US Airways Express  12:14 pm – 6:55 pm United · Commutair DBA United  7:05 am – 11:20 pm US Airways · US Airways Express  12:14 pm – 6:14 pm Delta · Endeavor Air DBA Delta  12:30 pm – 4:50 pm Delta · Endeavor Air DBA Delta  12:30 pm – 4:50 pm Delta · Endeavor Air DBA Delta  12:30 pm – 4:50 pm Delta · Endeavor Air DBA Delta	5:40 pm — 11:58 pm

		3		
\$468 round trip		7:05 am – 5:33 pm 🕞 US Airways · US Airways Expre	10h 28m	2 stops PHL, BO5
\$486		9:18 am – 5:33 pm © US Aliways · US Aliways Expra		2 stops PHL, BOS
\$526	<b>M</b>	11:28 am - 11:52 pm Sunited · Expressjet Airlines DB		1 stop 8h 12m in ORD
\$526 round trip	<b>M</b>	4:33 pm – 11:52 pm 🕞 United · Expressjet Airlines DB	7h 19m	1 stop 2h 58m In ORD
\$526 round trip	A	4:33 pm – 12:37 am*1 United, American · Expressjet A	8h G4m	1 stop 3h 42m in ORD
\$543 round trip	A	5:16 pm – 12:37 am*1 Renican, US Airways · US Air	7h 21m	2 stops DCA, ORD
\$556 round trip		6:15 am – 5:04 pm © United · Expressjet Airlines DB/	10h 49m	1 stop 6h 26m in ORD
\$556 round true		11:28 am – 5:04 pm 🕞 United · Expressjet Airlines DB	5h 36m	1 slop 1h 19m in ORD
\$556 round trip		5:40 pm – 10:01 am+1 United · Expressjel Airlines DB/	16h 21m	1 stop 13h 33m in EWR
<b>\$567</b> round trip		11:31 am – 9:24 pm Tus Airways Exp	9h 53m	2 stops PHL, BOS
\$567 round trips		11:31 am – 9:24 pm © US Airways · US Airways Expo	9h 53m	2 stops PHL. BOS
\$567	M ===	11:31 am – 9:24 pm F US Aliways · US Aliways Expor	9h 53m	2 stops PHL, BOS
\$572		2:25 pm – 10:38 pm US Airways · US Airways Expre	8h 13m	2 stops CLT, PHL
\$572 round trip		2:25 pm – 11:20 pm Sus Airways - US Airways - US Airways - Expression	8h 55m	2 stops CLT, DCA
\$572 round Via		2:25 pm – 11:20 pm 🕞 US Airways - US Airways Expu	8h 55m	2 stops CLT, DCA
\$572		2:25 pm – 11:57 pm 🕞 US Airways + US Airways Expre-	9h 32m	2 stops CLT, PHL
\$572		2:25 pm − 11:57 pm 🕞 US Airways · US Airways Expre	9h 32m	2 stops CLT, PHL
\$596 round trip	<b>M</b>	6:00 am – 2:33 pm United · Expressjet Airlines DB	8h 33m	1 stop 5h 59m in EWR
\$603 must ten	A	11:28 am – 5:45 pm United, American · Expressjet /	6h 17m	1 stop 2h 02m in ORD
\$632 round top	3	5:40 pm – 11:29 pm United · ExpressJet Airlines DB/	5h 49m	2 stops EWR, IAD
\$643 round trip	A	11:31 am – 6:14 pm 🕏 US Airways, Delta · US Airways	6h 43m	2 stops PHL, LGA
\$648 round trip	3	11:28 am – 8:18 pm United • Expressjet Airlines DB/	8h 50m	1 stop 4h 37m in ORD
\$722 round tolp		5:40 pm – 9:07 am <sup>+1</sup> United · Expressjet Airlines DB.	15h 27m	1 stop 12h 30m in EWR
<b>\$723</b> round trip		2:25 pm – 9:56 pm  US Airways · US Airways Expre	7h 31m	1 stop 3h 30m in CLT



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American · Republic Airlines as Ar

round trip

Milwaukee

Chicago

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\$234

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**O**Peoria \$336

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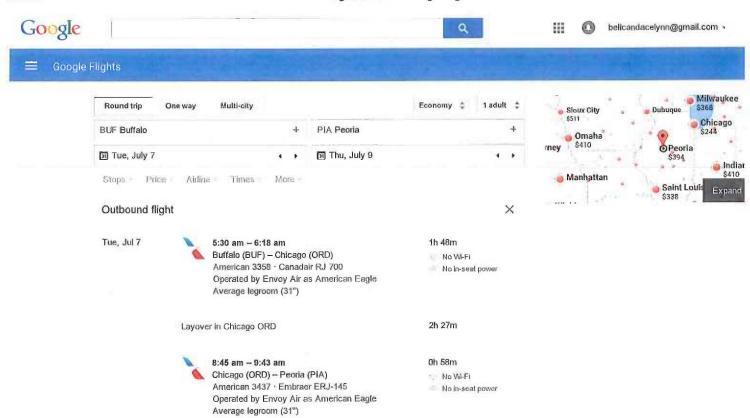
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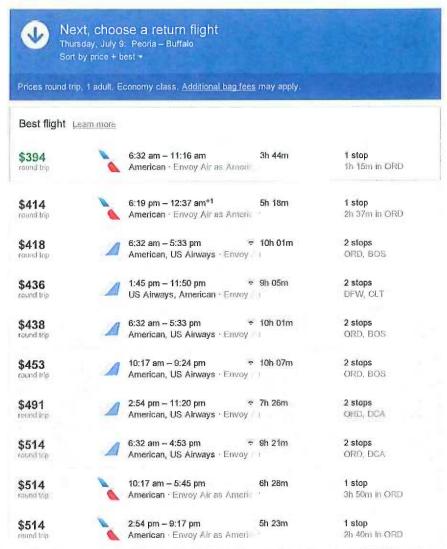
nhattan

\$483	8:22 am – 5:03 pm	⇒ 9h 41m	2 stops
	American · Republic	Airlines as Ai	ORD, DFW
\$523	6:00 am – 9:50 am	≎ 4h 50m	1 stop
	Delta · Expressjet Di	BA Della Cont	1h 05m in ATL
<b>\$552</b> round trip	5:16 pm – 9:07 pm	∻ 4h 51m	1 stop
	Delta · Expressjet Di	BA Della Coni	1h 05m in MSP
\$650	5:49 pm – 9:43 am+1 United, American · E		1 stop 14h 05m in ORD
\$650	5:49 pm – 10:14 am	+1 = 17h 25m	1 stop
round trip	United - Expressjet /	Airlines DBA L	14h 36m in ORD
\$724	2:12 pm – 10:14 am² United - Expressjet A		1 stop 18h 18m in ORD
\$729	6:20 pm – 9:43 am+1 American - Republic		1 stop 13h 32m in ORD
\$745 round trip	6:20 pm – 1:19 pm+1 American · Republic		1 stop 17h 02m in ORD
\$769	6:00 am – 3:23 pm	₹ 10h 23m	2 stops
round trip	United · Republic Air	lines DBA Un	EWR, ORD
\$769	9:41 am – 10:00 pm United Commutair I		2 stops EWR, ORD
\$775	10:36 am – 10:00 pm		2 stops
round trip	United · Republic Air		EWR, ORD
\$775	2:00 pm – 10:00 pm		2 stops
round trip	United · Republic Air		EWR, ORD
\$775	3:08 pm – 10:00 pm	≎ 7h 52m	2 stops
	United · Shuttle Ame	rica DBA Unil	EWR, ORD
\$1,034	6:00 am – 1:19 pm	8h 19m	2 stops
round trip	American, United · R	Jepublic Airlins	EWR, ORD
\$1,037	9:41 am – 4:07 pm	<b>∻ 7h 26m</b>	2 stops
	Delta, United · Comm	nutair DBA Ur	EWR, DTW
<b>\$1,057</b> round trip	9:41 am – 6:29 pm	<b>≎ 9h 48m</b>	2 stops
	United · Commutair I	DBA United E	EWR, ORD
\$1,130	6:15 am – 9:43 am	4h 28m	1 stop
round trip	United, American · S	huttle Americ	1h 55m in ORD

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\$567		10:17 am – 9:24 pm American, US Airways · Envoy	10h 07m	2 slops ORD, BOS
\$599 round trip		10:17 am – 2:49 pm American · Envoy Air as American	3h 32m	1 stop 50m in ORD
\$603 round trip	A	1:45 pm – 11:20 pm American, US Airways · Envoy	8h 35m	2 stops DFW, DCA
\$603 round trip	-	1:45 pm – 12:37 am <sup>+1</sup> = American · Envoy Air as American	9h 52m	2 stops DFW, ORD
\$603 round trip	4	1:45 pm – 12:37 am*1 e American · Envoy Air as Americ	9h 52m	2 stops DFW, ORD
\$603 round.htp	-	1:45 pm – 12:37 am*1 • American · Envoy Air as Americ	9h 52m	2 stops DFW, ORD
\$606 round trip		8:45 am - 4:40 pm Polta · Encleavor Air DBA Delta	6h 55m	1 stop 3h 32m in MSP
\$610 round trip		8:45 am − 4:50 pm Delta · Endeavor Air DBA Delta	7h 05m	2 stops MSP, DTW
\$610 round trip		8:45 am – 9:07 pm Polita - Endeavor Air DBA Delta	11h 22m	2 stops MSP, DTW
<b>\$629</b> բուսում (որ		5:15 am - 10:06 am • United · Expressjet Airlines DB	3h 51m	1 stop 1h 25m in ORD
\$629 round trip	<b>M</b>	6:59 pm – 11:52 pm United · Expressjet Airlines DB/	3h 53m	1 stop 1h 21m in ORD
\$629 round trip	-	2:54 pm – 11:16 am <sup>+1</sup> American · Envoy Air as American	19h 22m	1 stop 16h 48m in ORD
\$629 round trip	-	6:19 pm – 11:16 am <sup>+1</sup> American - Envoy Air as Americ	15h 57m	1 stop 13h 18m in ORD
\$653 round trip		4:32 pm – 9:07 pm  Delta · Endeavor Air DBA Delta	3h 35m	1 stop 1h 04m in DTW
\$730 round trip		6:00 am – 12:30 pm Polita · Expressjet DBA Delta C	5h 30m	1 stop 1h 44m in ATL
\$730 round trip		4:11 pm – 10:51 pm Pelta · Expressjet DBA Delta C	5h 40m	1 stop 1h 48m in ATL
\$731		10:44 am – 5:04 pm • United • Express let Airlines DB	5h 20m	1 stop 2h 42m in ORD
\$777 record to p	A	4:32 pm – 11:20 pm Polita, US Airways · Endeavor /	5h 48m	2 stops DTW, DCA
\$841	1	5:15 am – 1:24 pm	7h 09m	2 stops ORD, PHL
\$902 round trip	A	5:15 am – 2:25 pm United, Delta · Expressjet Airlin	8h 10m	2 stops ORD, LGA
\$902	A	5:15 am – 2:25 pm • United, Delta · Expressjet Airlin	8h 10m	2 stops ORD, LGA
\$988 round trip	1	5:15 am - 11:16 am American, United · Expressjet //	5h 01m	1 stop 2h 28m in ORD
<b>\$1,018</b> round trip		3:53 pm – 8:18 pm United · Expressjet Airlines DB/	3h 25m	1 stop 50m in ORD
<b>\$1,172</b> round trip		6:59 pm – 5:04 pm <sup>+1</sup> • United • Expressjet Airlines DB/	21h 05m	1 stop 18h 28m in ORD

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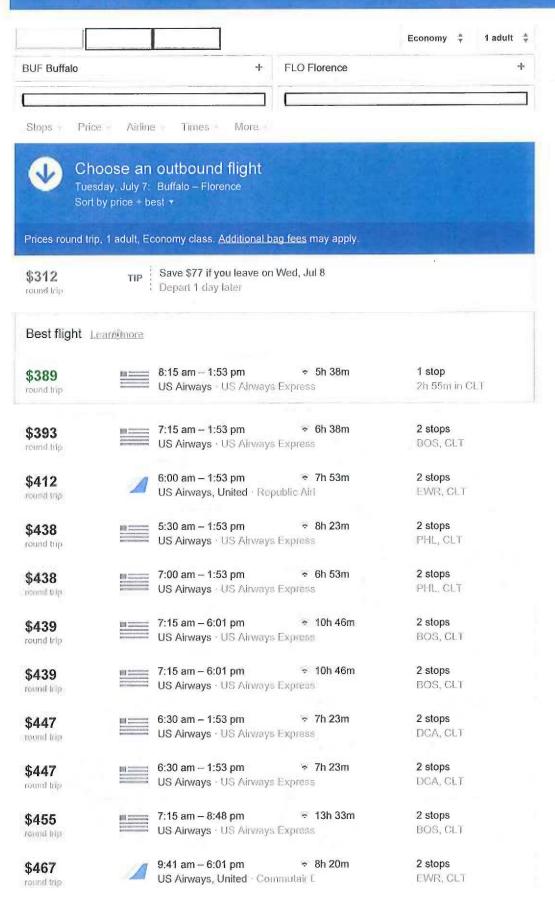
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Albany

Raleigh

\$226

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♦ Florence
 \$389
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\$498	10:36 am – 8:48 pm • 10h 12i	m 2 stops
round trip	US Airways, United · Republic Airl	EWR, CLT
\$498	10:36 am – 8:48 pm 😎 10h 12i	m 2 stops
round trip	US Airways, United · Republic Airl	EWR, CLT
\$498 round trip	2:00 pm – 8:48 pm   Character 3:00 p	2 stops EWR, CLT
\$504	11:50 am – 6:01 pm • 6h 11m	1 stop
round trip	US Airways · US Airways Express	3h 35m in CLT
\$509	1:00 pm – 8:48 pm 7h 48m	2 stops
round trip	US Airways · US Airways Express	PHL, CLT
\$590	11:30 am – 6:01 pm • 6h 31m	2 stops
round trip	US Airways · US Airways Express	DGA, GLT
\$590	1:00 pm – 8:48 pm 7h 48m	2 stops
round trip	US Airways · US Airways Express	PHL, GLT
\$760 round trip	6:00 am – 1:53 pm 7h 53m United, US Airways · Republic Airl	2 stops EWR, CLT
\$760	9:41 am – 6:01 pm 8h 20m	2 stops
round trip	United, US Airways · Commutair E	EWR, CLT
\$910 round trip	7:41 pm – 9:16 am*1 13h 35i US Airways · US Airways Express	m 2 stops PHL, CLT
\$978 round trip	6:35 am – 1:53 pm 7h 18m Delta, US Airways · US Airways E	2 stops DTW, CLT
\$978	7:00 am – 1:53 pm 🌼 6h 53m	2 stops
round trip	Delta, US Airways · Shuttle Americ	LGA, CLT
\$1,006 round trip	7:05 pm – 9:16 am+1 • 14h 11i US Airways · US Airways Express	1 stop 11h 35m in CLT
\$1,006	7:05 pm – 1:53 pm+1 • 18h 48i US Airways · US Airways Express	m 1 stop 16h 07m in CLT
\$1,006 round trip	7:05 pm – 6:01 pm+1 = 22h 56i US Airways · US Airways Express	m 1 stop 20h 20m in CLT
\$1,016	8:15 am – 6:01 pm • 9h 46m	1 stop
round trip	US Airways · US Airways Express	7h 08m in CLT
\$1,016 round-trip	8:15 am − 8:48 pm	m 1 stop 9h 53m in CLT

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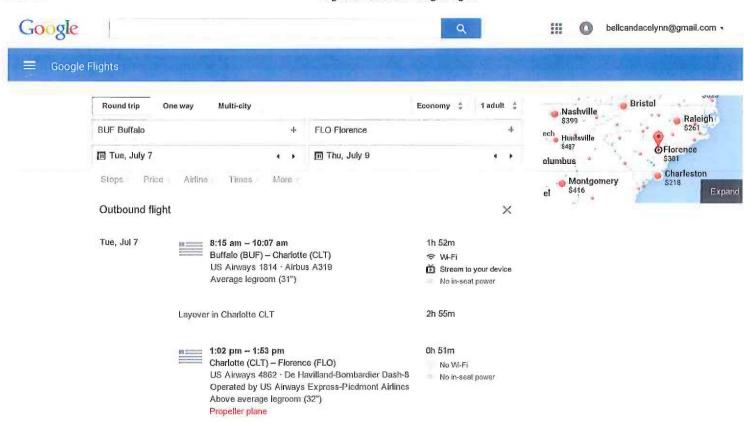
Travelocity

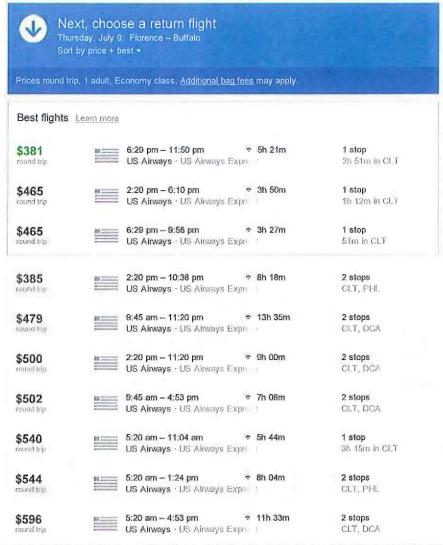
Priceline

Expedia

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\$615 round in pr		5:20 am – 12:10 pm 7 US Airways US Airways Expr		2 stops CLT_DGA
\$615		9:45 am – 3:15 pm Published Street Programme Street Programme Prog	5h 30m	2 stops CLT, PHL
\$615 restard trip	Man and the second	6:29 pm – 11:57 pm $\sim$ US Airways Expr	5h 28m	2 stops CLT, PHL
\$740 cound Mp	Detail and several services	2:20 pm – 11:04 am <sup>+1</sup> S US Airways - US Airways Expre	20h 44m	1 stop 18h 12m in CLT
\$938 round sign	P.C.	9,45 am 6:10 pm 7 US Airways - US Airways Expr		1 stop 5h 42m in CLT
\$955	Company and the second of the	6:29 pm − 11:04 am <sup>+1</sup> ÷ US Airways · US Airways Expr	16h 35m	1 stop 14h 01m in CLT

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<b>∄</b> Go	Hotel avg 3 star avg \$130 \$154		9.00.000000000000000000000000000000000	4 star avg <b>\$149</b>		
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□ 崇 崇 崇 崇 Stars (1) □ 崇 崇 崇 崇 Stars (11)		The Cent		W	onderfu	II <b>4.5/5</b> reviews)
Stars (11)  □ ****  Stars (11)		Concord (Co 13.70 mi froi 1-866-267-9	m Henniker 1053	· Ψ2	rate	per night
11 (0)	etineen vale helle helle attime de 2014 en 1900 en 1920 m. v. v.	❤ Free Can Booked in th	cellation ne last 21 hours		Book Now,	ray Later
Price Per Night Less than \$75 (0)	The same movers to a section and an atom conserved.	Holiday I	nn Concor	·		
\$75 to \$124 (9) \$125 to \$199 (6)		Holiday Inn Concord Good! 3.9  Downtown (152 review			i	
\$200 to \$299 (1)	Concord (Concord) ♀ Map			•	avg/night	

avg/night

Free parking (19)  Hair dryer (15)  Kitchen (3)  Kitchenette (2)  Laundry facilities (11)  Pets allowed (conditions apply) (11)  Restaurant in hotel (8)  Room service (3)	Co 14. 1-8 • E	urs  omfort Inn Concord  ★ ★ ★  ncord (Concord)	Very good! 4.2/5 (233 reviews) \$119 avg/night
site (2)	THE STATE OF	error i i i i i i i i i i i i i i i i i i	от се стано и текстория вистем на при на В прити при на при н
Accessibility  Accessibility equipment for the deaf (4)  Accessible bathroom (9)  Accessible path of travel (7)  Braille or raised signage (5)  Handicapped parking (11)	Co Su Co 14. 1-8 • E:	est Western  oncord Inn &  uites * * * *  ncord (Concord)  Map  61 mi from Henniker  66-298-0996  xpedia Rate  Most Popular! 18 people book hours  oked in the last 2 hours	Very good! 4.2/5 (347 reviews) 3 left at \$171 \$93 avg/night ed this hotel in the last
In-room accessibility (8) Roll-in shower (6)	40 Exp Ho Dec Ge	enniker Hotels up to % off pedia Unpublished Rate tels ep discounts on quality hotel t the Deal now – and the Hot me after you book	

### Residence Inn by Marriott Concord 奏奏奏奏

Concord (Concord)

14.61 mi from Henniker 1-866-313-6242

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- ✓ Free Cancellation

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### Exceptional! 4.7/5

(72 reviews)

\$194 \$174

avg/night

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### Sunapee Lake Lodge

\*\*\*\*

Newbury **♥ Map** 16.78 mi from Henniker 1-866-608-6760

✓ Free Cancellation
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Very good! 4.0/5

(40 reviews)

\$119

rate per night

✓ Book Now, Pay Later

### Mountain Edge Resort & Spa at Sunapee

秦秦秦秦秦

Newbury **♀ Map** 16.80 mi from Henniker 1-866-265-3604

✓ Free Cancellation

### Very good! 4.1/5

(25 reviews)

1 left at

\$259 \$229

rate per night

✓ Book Now, Pay Later

### Red Roof Inn Loudon

李亲亲李

Loudon **♥ Map** 19.58 mi from Henniker 1-866-263-3710

Expedia Rate

✓ Free Cancellation

Booked in the last 47 minutes

Very good! 4.1/5

(162 reviews)

<del>\$100</del> \$90

avg/night

✓ Book Now, Pay Later

### La Quinta Inn & Suites Manchester 奏奏奏奏

Manchester (Manchester)

21.06 mi from Henniker Expedia Rate

✓ Free Cancellation

Booked in the last 3 hours

#### Excellent! 4.3/5

(585 reviews)

\$119

avg/night

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### Black Swan Inn

\*\*\*\*

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Tilton 9 Map

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1-866-307-9227 Free Cancellation

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### Fairfield Inn & Suites by Marriott Hooksett \*\*\*\*

Hooksett ♥ Map 21.54 mi from Henniker 1-866-280-5236

✓ Free Cancellation

Booked in the last 8 hours

### Wonderful! 4.6/5

(123 reviews)

<del>\$149</del> \$139

rate per night

✓ Book Now, Pay Later

### Crotched Mountain Resort 考 考 奏 奏

Francestown **♥ Map 4.8 out of 5** (101 reviews)
1-866-327-6247

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#### Dexter's Inn \*\*\*\*\*

Sunapee **♀ Map 4.3 out of 5** (29 reviews)
1-866-310-3405

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### Follansbee Inn

\*\*\*\*

North Sutton **♥ Map** 1-866-299-0098

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Sandy Beach RV Resort ★ ★ ★ ★

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New to Expedia!

King Hill Inn & Kitchen 考考考书

New London **Q** Map 1-866-307-9141

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Lake Shore Village Resort ★ ★ ★ ★

Weare **Q Map** 1-866-699-9805

This lodging does not allow check in on your requested check-in date: 07/07/2015.

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<sup>†</sup> Savings based on Expedia Unpublished Rate hotel rates for last month, as compared to the regular rate for the same hotel on Expedia.com.

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DESTINATION Peoria, IL, USA **DATES** 

Tue, Jul 7 - Wed, Jul 8

ROOMS

1 room

Change search

Q

### 51 hotels in Peoria

Questions? 800-391-3613

Sort By:

Most popular

Search by hotel name



Go

Sort By:

Price

Guest Rating

More ₩

Hotel avg \$101

3 star avq \$154

4 star avg \$110

Filter hotels by

Hotel Class

(0)

☐●●●● Stars

(1)

☐ ● ● ● ● ● Stars

(10)

**■● ● ● © e a**rs

(35)

0 0 0 0 0

(1)

Price Per Night

Less than \$75 (19)

☐ \$75 to \$124 (14)

☐\$125 to \$199 (14)

\$200 to \$299 (1)

Best Western Plus Peoria

Map

Excellent! 4.3/5

(236 reviews)

4 left at \$135

Very good! 4.1/5

avg/night

Stay with People who Care. Enjoy our newly renovated hotel and experience the Best the

Peoria market has to offer!

Sponsored

Sale!

✓ Free Cancellation

9 people booked this hotel in the last 48 hours

Booked in the last 3 hours

Par A Dice Hotel

Casino • • • • •

East Peoria (East Peoria)

Map

1-866-264-5744

· Expedia Rate

avg/night

4 left at

(195 reviews)

✓ Free Cancellation

10 people booked this hotel in the last 48 hours Booked in the last 29 minutes

Accommodation	Embassy Suites East Wonderful! 4.6/5
Type	Peoria - Hotel & (361 reviews)
<ul><li>All (51)</li></ul>	RiverFront Conf \$194 \$169
O Hotel (36)	Center • • • • avg/night
O Motel (10)	East Peoria (East Peoria) ✓ Book Now, Pay Later
O Inn (3)	<b>♀</b> Мар
O Bed & Breakfast	1-866-281-6817 • Expedia Rate ✔ Free Cancellation
(1)	Booked in the last 2 hours
O Private vacation	
home (1)	Comfort Suites Peoria Very good! 4.2/5
Hotel Preferences	(168 reviews)
High-speed	Peoria (Peoria) • Map \$109 \$99
Internet (40)	1-866-286-0843
☐Air conditioning (34)	<ul> <li>Expedia Rate</li> <li>✓ Free Cancellation</li> </ul>
Swimming pool	Booked in the last 4 hours
(28)	19 No. 1 White dates a make which is a subject to a measuremental and approximate and a management of the subject of the subje
Business services	Holiday Inn Hotel & Exceptional 4 8/5
(32)	2 1 = 4 = 1
□ Dry	
cleaning/laundry service (19)	Foot Poorio (Foot Poorio)
Fitness equipment	avg/night (East Peorla) avg/night
(25)	1-866-295-5798 • Expedia Rate
Free airport	Booked in the last 3 hours
transportation (8)	
Free breakfast	Peoria (and vicinity) up to 40% off <sup>†</sup>
(36)	Hotels up to 40% off standard hotel rates
Free newspaper (25)	Expedia Unpublished Rate
Free parking (42)	Hotels
☐ Hair dryer (33)	Deep discounts on quality hotels  Get the Deal now – and the Hotel
☐ Kitchen (4)	Name after you book
☐ Kitchenette (1)	
Laundry facilities	The first of the second
(28)	Extended Stay America - Good! 3.5/5
Pets allowed	Peoria - North (291 reviews)
(conditions apply) (26)	Peoria (Peoria)
Restaurant in	Booked in the last 19 hours avg/night
hotel (11)	
Room service (6)	Ougliby Ing Decide
	Quality Inn Peoria Very good! 4.1/5
Accessibility	(140 reviews)

Accessibility equipment for the deaf (12)
Accessible bathroom (20)
Accessible path o
Braille or raised signage (12)
Handicapped parking (26)
In-room accessibility (28)
Roll-in shower

Peoria (Peoria) Map 1-866-313-6242

· Expedia Rate

✓ Free Cancellation Booked in the last 23 hours <del>\$115</del> \$100

avg/night

### **Courtyard Peoria** Downtown ••••

Peoria (Peoria) 9 Map 1-866-608-6760

· Expedia Rate

✓ Free Cancellation Booked in the last 4 hours Wonderful! 4.5/5

(69 reviews)

<del>179</del> \$149

avg/night

✓ Book Now, Pay Later

#### Sleep Inn & Suites

00000

Washington @ Map 1-866-265-3604 • Expedia Rate

✓ Free Cancellation Booked in the last 8 hours Excellent! 4.4/5

(87 reviews)

avg/night

### Wingate By Wyndham Peoria 00000

Peoria (Peoria)

 Map 1-866-263-3710

Expedia Rate

Booked in the last 6 hours

Exceptional! 4.7/5

(187 reviews)

avg/night

### Peoria (and vicinity) Hotels up to 40% off

up to 40% off<sup>†</sup> standard hotel rates

Expedia Unpublished Rate

Deep discounts on quality hotels Get the Deal now - and the Hotel

Name after you book

Country Inn & Suites By Carlson, Peoria North, IL

Peoria (Peoria) 9 Map

Wonderful! 4.5/5

(107 reviews)

avg/night

1-866-599-6675

· Expedia Rate

# Fairfield Inn & Suites by Marriott Peoria East

East Peoria (East Peoria)

Map

1-866-307-9227

· Expedia Rate

Free Cancellation

Booked in the last 24 hours

Excellent! 4.4/5

(179 reviews)

\$149 \$139

avg/night

✓ Book Now, Pay Later

### Hampton Inn Peoria East ••••

East Peoria (East Peoria)

1-866-280-5236

Expedia Rate

Free Cancellation

Booked in the last 20 hours

Wonderful! 4.5/5

(114 reviews)

<del>\$159</del> \$129

avg/night

✓ Book Now, Pay Later

### Courtyard by Marriott Peoria •••

Peoria (Peoria) **♀ Map** 1-866-327-6247

Expedia Rate

✔ Free Cancellation

Booked in the last 22 hours

Excellent! 4.4/5

(121 reviews)

\$190 \$170

avg/night

✓ Book Now, Pay Later

### Quality Inn

Morton 🦁 Map

1-866-310-3405 • Expedia Rate

✓ Free Cancellation

Good! 3.9/5

(22 reviews)

\$85 \$70

avg/night

### Peoria (and vicinity) Hotels up to 40% off

Expedia Unpublished Rate Hotels

Deep discounts on quality hotels

up to 40% off<sup>†</sup> standard hotel rates

Get the Deal now – and the Hotel Name after you book

Holiday Inn Express & Suites Morton -

Wonderful! 4.6/5

(73 reviews)

Peoria Area

\$143 \$14

<del>\$ 143</del>

avg/night

Morton 9 Map

1-866-299-0098

· Expedia Rate

Booked in the last 3 hours

Super 8 Peoria East

00000

East Peoria (East Peoria)

Map

1-866-307-2219

• Expedia Rate

✓ Free Cancellation

Booked in the last 20 hours

Good! 3.8/5

(246 reviews)

\$75

avg/night

✓ Book Now, Pay Later

Baymont Inn & Suites

Peoria 00000

Peoria (Peoria) • Map 3.4 out of 5 (627 reviews)

1-888-553-7084

Expedia Rate

✓ Free Cancellation

Booked in the last 36 minutes

\$99 \$84

avg/night

Sale!

3 left at

avg/night

<del>\$70</del> \$57

✓ Book Now, Pay Later

✓ Book Now, Pay Later

Red Roof Inn

Peoria ••••

Peoria (Peoria) **9** Map

3.3 out of 5 (409 reviews)

1-866-307-9141

· Expedia Rate

✓ Free Cancellation

■ Most Popular! 20 people booked this hotel in the last

48 hours

Booked in the last 27 minutes

Americas Best Value Inn - Morton/Peoria

1 left at \$58

avg/night

Morton **♀ Map** ✓ Book Now, Pay Later 3.2 out of 5 (37 reviews) 1-866-699-9805 • Expedia Rate ✔ Free Cancellation 4 people booked this hotel in the last 48 hours Booked in the last 8 hours

### Travelodge Peoria Hotel and Conference Center

avg/night

Peoria (Peoria) Pap 3.4 out of 5 (410 reviews) 1-866-590-3173 • Expedia Rate Booked in the last 37 minutes

### Concorde Inn Suites

S61

avg/night

Pekin (Pekin) 9 Map **3.4 out of 5** (56 reviews)

✓ Book Now, Pay Later

1-866-279-1761

· Expedia Rate

✓ Free Cancellation

Booked in the last 22 hours

### **Candlewood Suites**

Excellent! 4.3/5

(27 reviews)

Grand Prairie

avg/night

Peoria (Peoria) 9 Map 1-866-264-5744 • Expedia Rate

### Holiday Inn Express Hotel & Suites Pekin (Peoria Area)

Wonderful! 4.6/5

(62 reviews)

<del>\$175</del> \$155

avg/night

Pekin (Pekin) 9 Map

1-866-267-9053 • Expedia Rate

Booked in the last 37 minutes

### Super 8 Peoria II

00000

Peoria (Peoria) Map

1-866-272-4856 · Expedia Rate

Good! 3.7/5

(198 reviews)

4 left at

<del>\$89</del> \$59

3 people booked this hotel in the last 48 hours

avg/night

Americinn Peoria

Peoria (Peoria) **♀ Map** 1-866-276-6393

✓ Free Cancellation

7 people booked this hotel in the last 48 hours

Booked in the last 6 hours

Excellent! 4.3/5

(16 reviews)

1 left at \$120

rate per night

**Baymont Inn and Suites** 

00000

Morton ♥ Map

1-866-279-5332 • Expedia Rate

Booked in the last 30 minutes

Good! 3.8/5

(166 reviews)

\$84 \$67

avg/night

Cornerstone Inn

Washington **Q** Map

1-866-281-6817

Expedia Rate

✓ Free Cancellation

3 people booked this hotel

in the last 48 hours

Booked in the last 16 minutes

Exceptional! 4.9/5

(8 reviews)

1 left at

\$140 \$100

avg/night

Best Western Ashland House & Conference

Center 00000

1-866-286-0843 • Expedia Rate

✓ Free Cancellation

Booked in the last 11 hours

Good! 3.9/5

(22 reviews)

<del>\$108</del> \$90

avg/night

Sale!

Hampton Inn and Suites Peoria-West,

|L 00000

Peoria (Peoria) **♀ Map** 1-866-295-5798

Expedia Rate

Exceptional! 4.7/5

(61 reviews)

<del>\$169</del> \$144

avg/night

#### Booked in the last 2 hours

#### **Travelodge Morton**

IL 00000

Morton 9 Map

1-866-298-0996

• Expedia Rate

Booked in the last 6 hours

Good! 3.6/5

(110 reviews)

5 left at

\$60 \$51

\$69 \$58

avg/night

4 left at

avg/night

Sale!

#### Super 8

#### **Washington Peoria**

Area 00000

Washington **Q** Map

**3.3** out of **5** (191 reviews)

1-866-313-6242 • Expedia Rate

4 people booked this hotel in the last 48 hours

Booked in the last 58 minutes

#### Econo Lodge & Suites

00000

\$85 \$75

avg/night

Pekin (Pekin) 9 Map

2.9 out of 5 (22 reviews)

1-866-608-6760 • Expedia Rate ✔ Free Cancellation

Booked in the last 9 hours

# Super 8 Motel -

Pekin/Peoria Area

00000

5 left at

\$68 \$53

avg/night

3.0 out of 5 (52 reviews)

1-866-265-3604 · Expedia Rate

6 people booked this hotel in the last 48 hours

Booked in the last 7 hours

# Econo Lodge Inn &

Suites ••••

\$99 \$59

avg/night

Peoria (Peoria) 🧣 Map

2.9 out of 5 (121 reviews)

1-866-263-3710 • Expedia Rate ✔ Free Cancellation

Booked in the last 24 hours

Motel 6 Peoria - East

0000

avg/night

East Peoria (East Peoria)

✓ Book Now, Pay Later

Map

2.5 out of 5 (47 reviews)

1-866-599-6675 • Expedia Rate ✔ Free Cancellation

Booked in the last 46 minutes

Super 8 Chillicothe

Good! 3.8/5

(30 reviews)

1-866-307-9227 • Expedia Rate

avg/night

Canton Inn 

OOO

Canton (Canton) 9 Map

3 left at \$55

rate per night

2.5 out of 5 (22 reviews)

✓ Book Now, Pay Later

1-866-280-5236

✓ Free Cancellation

8 people booked this hotel in the last 48 hours

Booked in the last 2 hours

**Economy Inn** 

Chillicothe

avg/night

2.5 out of 5 (11 reviews)

1-866-327-6247

· Expedia Rate

✓ Free Cancellation

✓ Book Now, Pay Later

Super 8 Canton IL

00000

\$86 \$73

avg/night

2.1 out of 5 (7 reviews)

1-866-310-3405 • Expedia Rate

Mark Twain Hotel

Peoria (Peoria) Map 1-866-299-0098

Excellent! 4.4/5

(33 reviews)

rate per night

Canton Harvester

Inn

1-866-307-2219

Exceptional! 4.8/5

(24 reviews)

rate per night

Relax Inn

Morton **Q** Map 1.7 out of 5 (12 reviews) 1-888-553-7084

rate per night

Super 8 El Paso II

00000

El Paso **9 Map** 32.80 mi from Peoria (and vicinity) 1-866-307-9141 • Expedia Rate ✓ Free Cancellation

Good! 3.8/5

(60 reviews)

avg/night

Antler Creek Lodge

avg/night

Havana P Map

34.51 mi from Peoria (and vicinity)

1-866-699-9805 • Expedia Rate ✔ Free Cancellation

Residence Inn By **Marriott Peoria** 

00000

Peoria (Peoria) 👂 Map 4.6 out of 5 (46 reviews) 1-866-590-3173

We are sold out

We are sold out

SpringHill Suites Peoria Westlake

07/07/2015 - 07/08/2015.

0000

Peoria (Peoria) 9 Map 4.3 out of 5 (74 reviews) 1-866-279-1761

Booked in the last 3 hours

Excellent! 4.4/5

# Peoria Marriott Pere Marquette

(202 reviews)

avg/night Sponsored

Great Fall Rates: Luxury

Downtown Hotel.

✓ Book Now, Pay Later

Prime Downtown Location:

Convenient to Riverfront, Caterpillar & Civic Center. Onsite Dining, Free WiFi, Skywalk Access.

✓ Free Cancellation

Booked in the last 2 hours

#### Stoney Creek Peoria

Excellent! 4.4/5

(338 reviews)

Map

Experience Rest, Unlike the

Rest

rate per night Sponsored

Adjacent to the beautiful East

✓ Book Now, Pay Later

Port Marina. Warm & cozy

lobby with fireplace. Indoor/outdoor pool, whirlpool, exercise room

✓ Free Cancellation Booked in the last 8 hours

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<b>⊞</b> Go		Hotel avg <b>\$93</b>			star avg <b>\$145</b>
Filter hotels by		Н	oliday Inn Expres		Excellent! 4.4/5 (106 reviews)
Hotel Class			orence I-95 at Hv 7 ★ ★ ★ ★		144 \$115
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. □ ★ ★ 巻 ★ ★ ars (56)			per 8 Florence S	Sc	Good! 3.6/5
(3)		Flo	<ul><li>★ ★ ★</li><li>rence (Florence)</li><li>© N</li><li>66-264-5744 • Expedia</li></ul>	-	(125 reviews) \$70 \$66
Price Per Night			oked in the last 24 hour		avg/night
Less than \$75 (24)					
\$75 to \$124 (29)				V	ery good! 4.0/5
□\$125 to \$199 (11)					(103 reviews)

\$200 to \$299 (0) Greater than \$300 (0)		La Quinta Inn & Suites Florence ★★★★	\$99 avg/night  Book Now, Pay Later
Search Nearby		Florence (Florence)	BOOK NOW, Fay Later
O Darlington			*ion
Raceway  Florence Civic  Center		Booked in the last 37 minutes	UON
○ Francis Marion University	:	Hotel Florence, an	Wonderful! 4.6/5
Ouniversity of North Carolina at Pembroke	The state of the s	Ascend Hotel Collection Member ★ ★ ★ ★	(62 reviews) \$134 avg/night
OFlorence Museum		Florence (Florence) • Map	avg/mgm
OCoker College		1-866-272-4856 • Expedia Rate	Free Cancellation
O Sumter Mall		Booked in the last 3 hours	
O Dillon Motor	111 (11) (11) (11) (11) (11) (11) (11)	The same and the s	
Speedway  Clions Park		Florence (and vicinity)	up to 40% off <sup>†</sup> standard hotel rates
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Base		Expedia Unpublished Rate Hotels	e monoto.
	To former the property of	Deep discounts on quality hote Get the Deal now – and the Hote	
○ Magnolia Mall		Name after you book	TO THE PARTY OF TH
Historic Camden Revolutionary War Site	New to Expedia!	TownePlace Suites	¢111 ¢111
Clittle Pee Dee State Park		Florence	<b>TI44 DI14</b> avg/night
Camden Archives and Museum		<b>♥ Map</b> 1-866-276-6393 • Expedia Rate	net Guideren van spak.
Florence Motor     Speedway		Booked in the last 5 hours	
O Hartsville Museum		Country Inn & Suites	Excellent! 4.3/5
O Lee State Park	more of their e	By Carlson Florence	(429 reviews)
Quaker Cemetery	o dili	***	\$145 \$101
○ The Country Club     at Lake City	V 100 17 17 17 17 17 17 17 17 17 17 17 17 17	Florence (Florence)  Map	avg/night
Neighborhood	Mark many the state of the stat	1-866-279-5332 • Expedia Rate Booked in the last 5 hours	PROMPRIME
<ul><li>Florence (and vicinity)</li></ul>	The contract of the contract o		
ODillon	S tal Conference	Comfort Suites	Wonderful! 4.6/5
Florence	A TELEVISION OF THE PROPERTY O	***	(127 reviews)

Hartsville	Florence (Florence) \$145 \$140
○Lake City	<b>♀ Map</b> 1-866-281-6817  avg/night
○ Latta	• Expedia Rate
○ Timmonsville	✓ Free Cancellation
Accommodation	
Туре	Sleep Inn Florence Good! 3 6/5
● All (77)	4 4 4 4
O Hotel (57)	(es reviews)
O Motel (14)	1-866-286-0843 • Expedia Rate
◯ Bed & Breakfast (3)	<ul><li>✓ Free Cancellation avg/night</li><li>Booked in the last 6 hours</li></ul>
Olnn (2)	
OApart-hotel (1)	Quality Inn And Suites Good! 3.8/5
Hotel Preferences	Civic 奏 奏 奏 奏 (126 reviews)
High-speed	Florence (Florence) • Map \$100
Internet (51)	1-866-295-5798 • Expedia Rate
Air conditioning	* Flee Cancellation
(52)	Booked in the last 60 minutes
Swimming pool	
(59)	Florence (and vicinity) up to 40% off <sup>t</sup>
Babysitting service (1)	Hotels up to 40% off standard hotel rates
Business services	Expedia Unpublished Rate
(32)	Hotels
□Dry	Deep discounts on quality hotels
cleaning/laundry	Get the Deal now – and the Hotel  Name after you book
service (22)	Name after you book
Fitness equipment	
(38)	Holiday Inn Express Excellent! 4.4/5
Free breakfast (48)	Hotel & Suites (106 reviews)
Free newspaper	Florence I-95 at Hwy \$144 \$115
(27)	327 奏 奏 奏 奏 avg/night
Free parking (57)	Florence (Florence)
☐ Hair dryer (47)	<b>♥</b> Map
Kitchen (5)	1-866-298-0996 • Expedia Rate Booked in the last 7 hours
☐ Kitchenette (4)	THE HALL FOR THE HEAVEN AND AND AND AND AND AND AND AND AND AN
Laundry facilities	
(27)	Springhill Suites Wonderful! 4.5/5
Pets allowed	Florence * * * * * (90 reviews)
(conditions apply)	Florence (Florence) \$149 \$144
(33)	♥ Map avg/night
	0 0 "

Restaurant in hotel (12)	1-866-313-6242 • Expedia Rate	<b>✓</b> Book Now, Pay	Later
Room service (6)	✓ Free Cancellati		
Spa services on	Booked in the last	22 hours	
site (1)	the state of the s		
Accessibility		Courtyard Florence	Excellent! 4.4/5
Accessibility	10 10 10 10 10 10 10 10 10 10 10 10 10 1	***	(58 reviews)
equipment for the	di -	Florence (Florence)	\$139
deaf (18)		<b>♀</b> Map	avg/night
Accessible		1-866-608-6760	✓ Book Now, Pay Later
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signage (15)	e monocome	Residence Inn	Wonderful! 4.6/5
Handicapped	ent properties	Marriott Florence	(47 reviews)
parking (29)		***	\$154
In-room	V .	Florence (Florence)	T
accessibility (37)	V Aller	• Map	avg/night
Roll-in shower		1-866-265-3604	✓ Book Now, Pay Later
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		✓ Free Cancellation	
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	gal of the distribute other att of took in distribute eventures on over the distribute on a constructive to	Holiday Inn Ex Hotel	Wonderful! 4.5/5
		& Suites Florence I-95	(223 reviews)
		& I-20 Civic Ctr	\$1/0 \$136
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	•	,, ,, ,, ,,	avg/night
	7.5	Florence (Florence)  Map	
	- 2000-	1-866-263-3710 • Expedia Rate	2
er bloom pare	2000	Booked in the last 23 hours	
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		Florence (and vicinity)	up to 40% off <sup>†</sup>
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	100000000000000000000000000000000000000		

Ramada Inn Florence

亲亲亲亲亲

2 left at

\$70 \$64

avg/night

Florence (Florence)

Map

**3.2 out of 5** (532 reviews)

1-866-599-6675 • Expedia Rate

№Most Popular! 10 people booked this hotel in the last

48 hours

Booked in the last 3 hours

Abingdon Manor -

1 left at \$199

avg/night

Country Inn &

Restaurant ★★★★

Latta (Latta) 9 Map

1-866-307-9227 • Expedia Rate ✔ Free Cancellation

Suburban Extended Stay

\$55 \$49

avg/night

Hotel 专来专来

3.2 out of 5 (172 reviews)

1-866-280-5236 ◆ Expedia Rate ✔ Free Cancellation

Booked in the last 9 hours

Home2 Suites by Hilton Florence, SC

Excellent! 4.4/5

(32 reviews)

泰泰泰泰

avg/night

Florence (Florence)

1-866-327-6247 • Expedia Rate

Booked in the last 9 hours

Econo Lodge \* \* \* \* \*

\$60 avg/night

3.3 out of 5 (280 reviews)

1-866-310-3405 • Expedia Rate

✓ Free Cancellation

Booked in the last 16 hours

Florence (and vicinity) Hotels up to 40% off

up to 40% off<sup>†</sup> standard hotel rates Expedia Unpublished Rate
Hotels
Deep discounts on quality hotels
Get the Deal now – and the Hotel
Name after you book

# Baymont Inn & Suites Florence ★ \* \* \*

Florence (Florence) Map
1-866-299-0098 • Expedia Rate
Booked in the last 2 hours

Good! 3.9/5

(819 reviews)

<del>\$100</del> \$81

avg/night

# The Inn at the Crossroads 赛赛赛赛

Lake City (Lake City)

🛭 Мар

1-866-307-2219 **✓** Free Cancellation

Booked in the last 7 hours

#### Excellent! 4.4/5

(5 reviews)

\$129

rate per night

✓ Book Now, Pay Later

# Days Inn Florence

\*\*\*\*

Florence (Florence) **♀ Map 3.3 out of 5** (248 reviews)
1-888-553-7084 • Expedia Rate
Booked in the last 11 hours

<del>\$65</del> \$55

avg/night

# Red Roof Inn Florence - Civic

Center ★ ★ ★ ★

Florence (Florence)

1-866-307-9141

Expedia Rate
 ✓ Free Cancellation

Booked in the last 2 hours

# Good! 3.7/5

(456 reviews)

\$65

avg/night

✓ Book Now, Pay Later

#### Fairfield Inn By Marriott Florence \* \* \* \* \*

Florence (Florence) ♀ Map 3.3 out of 5 (236 reviews)

\$99 avg/night

1-866-699-9805 • Expedia Rate

Quality Inn & Suites

\*\*\*\*

1-866-590-3173 • Expedia Rate

✓ Free Cancellation

Good! 3.9/5

(87 reviews)

\$85

avg/night

Best Western Inn

\*\*\*\*

Florence (Florence)

Map

1-866-279-1761

Expedia Rate

✓ Free Cancellation

Booked in the last 2 hours

Good! 3.9/5

(16 reviews)

4 left at

<del>\$126</del> \$121

avg/night

Sale!

The Grove - The Inn on Harlee

**李鲁鲁鲁** 

Marion 👂 Map

1-866-264-5744

· Expedia Rate

✓ Free Cancellation

Exceptional! 4.8/5

(6 reviews)

1 left at \$130

avg/night

Best Western

**Executive Inn** 

李辛辛辛

Latta (Latta) 🧣 Map

1-866-267-9053

Expedia Rate

✓ Free Cancellation

9 people booked this hotel in the last 48 hours

Booked in the last 52 minutes

Good! 3.8/5

(5 reviews)

1 left at

\$117 \$80

avg/night

Sale!

Fairfield Inn by Marriott Hartsville ★本本本

Hartsville (Hartsville)

Map

Excellent! 4.4/5

(91 reviews)

\$149 \$124

avg/night

✓ Book Now, Pay Later

- 1-866-272-4856
- · Expedia Rate
- ✓ Free Cancellation

Booked in the last 22 hours

#### Red Roof Inn Dillon, SC参赛等等

1 left at \$70

avg/night

3.2 out of 5 (154 reviews)

✓ Book Now, Pay Later

1-866-276-6393

- Expedia Rate
- ✓ Free Cancellation

5 people booked this hotel in the last 48 hours Booked in the last 5 hours

#### Quality Inn 奏奏奏奏

Good! 3.7/5

(32 reviews)

1-866-279-5332 • Expedia Rate ✓ Free Cancellation

Booked in the last 6 hours

avg/night

# Quality Inn ※ ※ ※ ※ ※

\$100 \$80

Mullins 9 Map

3.4 out of 5 (34 reviews)

1-866-281-6817 • Expedia Rate

✓ Free Cancellation

# avg/night

# Motel 6 Florence SC

**亲亲亲亲** 

avg/night

Florence (Florence)

✓ Book Now, Pay Later

Map

2.6 out of 5 (48 reviews)

1-866-286-0843 • Expedia Rate ✔ Free Cancellation

Booked in the last 3 hours

# Americas Best Value

avg/night

Inn 参赛赛赛

2.5 out of 5 (79 reviews)

✓ Book Now, Pay Later

1-866-295-5798

- Expedia Rate
- ✓ Free Cancellation

#### http://www.expedia.com/Hotel-Search?

#### Americas Best Value Inn \*\*\*\*

avg/night

Florence (Florence)

Map

✓ Book Now, Pay Later

2.6 out of 5 (71 reviews)

1-866-298-0996 • Expedia Rate ✔ Free Cancellation Booked in the last 9 hours

# **Econo Lodge Bishopville**

\*\*\*\*

avg/night

Bishopville @ Map 2.4 out of 5 (18 reviews)

1-866-313-6242 · Expedia Rate ✔ Free Cancellation

# **Howard Johnson**

5 left at

Inn Florence

安安安安

avg/night

Florence (Florence)

2.7 out of 5 (162 reviews)

1-866-608-6760 • Expedia Rate

5 people booked this hotel in the last 48 hours

Booked in the last 2 hours

# Travelodge Florence

\$54 \$42

avg/night

※※※※※

2.8 out of 5 (51 reviews)

1-866-265-3604 • Expedia Rate

Booked in the last 8 hours

#### **Americas Best Value** Inn 奏奏券券券 nnl

\$63 \$58

2.9 out of 5 (9 reviews)

1-866-263-3710

• Expedia Rate

✓ Free Cancellation

avg/night

Book Now, Pay Later

#### Economy Inn \* \* \* \* \*

rate per night

Days Inn Lake City

\*\*\*\*

\$70 \$68

avg/night

Lake City (Lake City)

Map

✓ Book Now, Pay Later

2.9 out of 5 (56 reviews)

1-866-307-9227 • Expedia Rate ✔ Free Cancellation

Booked in the last 7 hours

Days Inn Dillon

\*\*\*\*

Dillon (Dillon) P Map 2.8 out of 5 (95 reviews)

1-866-280-5236

· Expedia Rate

4 left at

avg/night

Raceway Inn 奏 ※ 奏

Darlington 9 Map 1-866-327-6247

✓ Free Cancellation

Booked in the last 4 hours

2 left at \$70

rate per night

**Hampton Inn Suites** FlorenceNorthI95

Florence (Florence) **Q** Map 1-866-310-3405

Excellent! 4.4/5

(41 reviews)

rate per night

Hilton Garden Inn **Florence** 

1-866-299-0098

Very good! 4.2/5

(13 reviews)

rate per night

Quality Inn 奏奏奏奏

Good! 3.8/5

25.23 mi from Florence (and vicinity)

1-866-307-2219 • Expedia Rate

<del>\$90</del> \$85

✓ Free Cancellation

avg/night

(18 reviews)

Days Inn Turbeville

Sc 崇楽崇楽

avg/night

Gable 9 Map

✓ Book Now, Pay Later

2.7 out of 5 (9 reviews)

33.62 mi from Florence (and vicinity)

1-888-553-7084 · Expedia Rate ✔ Free Cancellation

# Signature Boutique Hotel

**秦秦秦秦秦** 

Kingstree 9 Map

avg/night

2.6 out of 5 (22 reviews)

39.76 mi from Florence (and vicinity)

1-866-307-9141 • Expedia Rate ✔ Free Cancellation

#### Mount Vernon Inn

Good! 3.8/5

Sumter 9 Map

(11 reviews)

44.13 mi from Florence (and vicinity) 1-866-699-9805

✓ Free Cancellation

rate per night

# **Econo Lodge Sumter**

\$70 \$60

\*\*\*\*

avg/night

Sumter @ Map 3.0 out of 5 (24 reviews)

44.20 mi from Florence (and vicinity)

1-866-590-3173 • Expedia Rate ✔ Free Cancellation

#### Super 8 Sumter

Good! 3.6/5

李李春春春

(52 reviews)

Sumter 9 Map 44.95 mi from Florence (and vicinity)

avg/night

1-866-279-1761

✓ Book Now, Pay Later

 Expedia Rate ✓ Free Cancellation

Booked in the last 8 hours

Home2 Suites by Hilton Florence, SC \*\*\*\*

Excellent! 4.4/5

(32 reviews)

avg/night

Sponsored

New Hotel.

Brand New Hotel! We offer great rates, indoor Saline Pool, Free WiFi and Laundry, and a Fitness Center.

Kitchenettes in Suites.

Booked in the last 9 hours

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\$75 to \$124 (39)

\_\_\$125 to \$199 (7)

Wonderful! 4.6/5

\$200 to \$299 (0)  Greater than \$300 (0)  Search Nearby  Longview Mall  LeTourneau University	Comfort Suites Kilgore ★ ★ ★ ★ Kilgore ♥ Map 8.33 mi from East Texas Regional (GGG) 1-866-272-4856 • Expedia Ra Booked in the last 40 minutes	(92 reviews) \$105 avg/night  te ✔ Free Cancellation
○ Wiley College		
○ Kilgore College Longview	La Quinta Inn & Suites Longview	Excellent! 4.4/5 (56 reviews)
○ Texas State Technical College	North ★ ★ ★ ★ Longview 9 Map	\$105
Alpine Golf Course	11.02 mi from East Texas Regional (GGG)	avg/night
O Lonestar Speedway	Expedia Rate  Free Cancellation	
East Texas Oil Museum	Booked in the last 7 hours .	a view weeks to the transfer determination of the section of translation was week translation and the section of
◯ East Texas University	East Texas Regional	up to 40% off <sup>†</sup> standard hotel rates
◯ Longview Rodeo Arena	(GGG) Hotels up to 40 off	9%
Maude Cobb     Convention     Center	Expedia Unpublished Rate Hotels Deep discounts on quality hot Get the Deal now – and the H	
O Longview University Center	Name after you book	
Starr Family Home State	en 1 - Palata da Salata de Amerika da Sasa de Salata de	e. Maria a compani managani di kabangan kangangan kangan ang kanagan sa kanagan sa kanagan sa kanagan sa kanagan
Historic Site	Americas Best Value	Good! 3.9/5
Michelson	Inn & Suites	(41 reviews)
Museum of Art	***	\$75
☐ Gregg County	Kilgore <b>♀ Map</b>	avg/night
Historical Museum	7.70 mi from East Texas Regional (GGG)	❤ Book Now, Pay Later
Harrison County	1-866-279-5332	
Historical Museum	• Expedia Rate	
OAnne Dean Turk Fine Arts Center	✓ Free Cancellation	
Texas and Pacific		
Railway Museum	Comfort Suites	Very good! 4.1/5
Oak Lawn	Longview	(76 reviews)
Municipal Golf	***	\$115 \$112
Course	Longview <b>♀ Map</b> 10.64 mi from East Texas	avg/night

Regional (GGG)

Old Harrison County	1-866-281-6817 • Expedia Rate ✔ Free Cancellation			
Courthouse	the state of the s			
	New to Expedia!	Comfort Suites	Wonderful! 4.6/5	
Accommodation		Marshall ★★★★	(22 reviews)	
Type		Marshall 🗣 Map	\$104	
		22.34 mi from East Texas	avg/night	
● All (87)		Regional (GGG)	avg/nignt	
O Hotel (60)		1-866-286-0843		
○ Motel (22)	A Agents against	<ul> <li>Expedia Rate</li> <li>✓ Free Cancellation</li> </ul>		
◯ Bed & Breakfast (4)				
O Inn (1)	enter vinte de la company	Wingate by Wyndham	Very good! 4.2/5	
Hotel Preferences		- Longview	(174 reviews)	
☐ High-speed		***	4 left at \$110	
Internet (66)	91.0	Longview <b>Q Map</b>	avg/night	
Air conditioning		10.67 mi from East Texas	✓ Book Now, Pay Later	
(58)	min to odd to	Regional (GGG)	V Book Now, 1 dy Later	
Swimming pool		1-866-295-5798		
(69)		<ul> <li>Expedia Rate</li> <li>✓ Free Cancellation</li> </ul>		
Business services		№Most Popular! 15 people book	ed this hotel in the last	
(49)		48 hours		
□Dry		Booked in the last 46 minutes		
cleaning/laundry service (27)	•		The following of the second of	
		Best Western Regency	Excellent! 4.4/5	
Fitness equipment (48)		Inn & Suites		
Free airport			(182 reviews)	
transportation (2)	APP COS C	***	\$90	
Free breakfast		Longview <b>♀ Map</b> 4.24 mi from East Texas	avg/night	
(65)		Regional (GGG)	Sale!	
Free newspaper	1 Proceedings	1-866-298-0996 • Expedia Rate	✓ Free Cancellation	
(34)	C property and the control of the co	Booked in the last 3 hours		
Free parking (71)	The state of the s	1. The first of mathematical and manufactures of the name absolute two color cases a sense of sense.	,	
☐ Hair dryer (65)		East Texas Regional	up to 40% off <sup>†</sup>	
Kitchen (6)		•	atandard batal	
Kitchenette (3)	difference of the second secon	(GGG) Hotels up to 40%	0	
Laundry facilities	***************************************	off		
(49)	80 Y	Expedia Unpublished Rate		
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hotel (11)	galatet distribut til 1900 til	1887 f. S. S. C.	Al-mark infratoristics could be a minimal to the constitution of the state of the constitution of the cons	
	Congress			

Room service (10) Accessibility Accessibility equipment for the deaf (25) Accessible bathroom (42) Accessible path of travel (46) Braille or raised signage (25) ☐Handicapped parking (47) \_In-room accessibility (44) Roll-in shower (23)

Holiday Inn Express & Very good! 4.0/5 (62 reviews)

Suites Longview

秦秦秦秦秦

Longview P Map 4.10 mi from East Texas

Regional (GGG)

1-866-313-6242 · Expedia Rate

Booked in the last 7 hours

Suburban Extended

Stay Hotel Longview

Wonderful! 4.5/5

(62 reviews)

avg/night

avg/night

Longview 9 Map

\*\*\*\*

10.47 mi from East Texas

Regional (GGG)

1-866-608-6760 · Expedia Rate ✔ Free Cancellation

Booked in the last 18 hours

Days Inn Longview South 奏奏奏奏奏

Longview P Map 3.91 mi from East Texas Regional (GGG) 1-866-265-3604

 Expedia Rate Booked in the last 2 hours Very good! 4.1/5

(178 reviews)

avg/night

Holiday Inn Express **Hotel & Suites** 

Kilgore 巻巻巻巻

Kilgore 9 Map

7.70 mi from East Texas

Regional (GGG)

1-866-263-3710 • Expedia Rate

Booked in the last 7 hours

Wonderful! 4.6/5

(67 reviews)

avg/night

Microtel Inn & Suites by Wyndham

Longview 奏奏奏奏

Longview 9 Map 4.47 mi from East Texas Regional (GGG) 1-866-599-6675 • Expedia Rate Very good! 4.0/5

(214 reviews)

avg/night

#### Booked in the last 22 hours

East Texas Regional (GGG) Hotels up to 40% off

up to 40% off<sup>†</sup> standard hotel rates

Expedia Unpublished Rate Hotels

Deep discounts on quality hotels Get the Deal now - and the Hotel Name after you book

La Quinta Inn & Suites Marshall \*\*\*\*

Marshall **Q** Map 22.08 mi from East Texas Regional (GGG) Expedia Rate

✓ Book Now, Pay Later

✓ Free Cancellation

Days Inn Kilgore

李春春春春

8.91 mi from East Texas Regional (GGG) 1-866-280-5236

Expedia Rate

Very good! 4.2/5

Very good! 4.2/5

(106 reviews)

avg/night

(15 reviews)

2 left at

avg/night

Staybridge Suites

Longview

奏奏奏奏奏

Longview 9 Map 10.92 mi from East Texas

Regional (GGG)

Exceptional! 4.9/5

(19 reviews)

\$149

avg/night

1-866-327-6247 • Expedia Rate ✔ Free Cancellation

**Best Western** 

Longview

\*\*\*\*

Longview **Q** Map 10.72 mi from East Texas Regional (GGG)

Wonderful! 4.6/5

(66 reviews)

2 left at

avg/night

1-866-310-3405

Sale!

Expedia Rate

4 people booked this hotel in the last 48 hours Booked in the last 19 hours

# Super 8 Longview/North

\*\*\*\*

Longview **Q** Map

7.95 mi from East Texas Regional (GGG)

1-866-299-0098 • Expedia Rate Booked in the last 21 hours

Good! 3.7/5

(63 reviews)

avg/night

# **East Texas Regional** (GGG) Hotels up to 40% off

Expedia Unpublished Rate

Deep discounts on quality hotels Get the Deal now - and the Hotel

Name after you book

up to 40% off† standard hotel rates

# Hampton Inn & Suites

**Longview North** 

**亲亲亲亲** 

Longview 9 Map 10.71 mi from East Texas Regional (GGG)

1-866-307-2219

· Expedia Rate

✓ Free Cancellation

Booked in the last 4 hours

# Wonderful! 4.6/5

(117 reviews)

avg/night

✓ Book Now, Pay Later

### Knights Inn Longview

**秦秦秦秦秦** 

Longview 9 Map 4.21 mi from East Texas Regional (GGG)

1-888-553-7084 • Expedia Rate

Good! 3.6/5

(86 reviews)

4 left at \$59

avg/night

Very good! 4.1/5

(42 reviews)

Fairfield Inn Longview \$<del>160</del> \$142

avg/night

\*\*\*\*

Longview **Q** Map

10.63 mi from East Texas Regional (GGG)

1-866-307-9141 • Expedia Rate

Quality Inn Marshall

\*\*\*\*

Marshall **♀ Map** 22.49 mi from East Texas Regional (GGG)

1-866-699-9805

Expedia Rate

✓ Free Cancellation

Booked in the last 8 hours

Very good! 4.2/5

(174 reviews)

\$74 \$70

avg/night

Motel 6 Longview -North ★★★★

Longview **♥ Map**3.2 out of 5 (32 reviews)

8.25 mi from East Texas Regional (GGG) 4 left at

\$45 \$40

avg/night

✓ Book Now, Pay Later

1-866-590-3173 ◆ Expedia Rate ❤ Free Cancellation 7 people booked this hotel in the last 48 hours Booked in the last 23 hours

Manor Inn

**赛赛赛赛** 

rate per night

✓ Book Now, Pay Later

Kilgore **♥ Map**7.70 mi from East Texas

Regional (GGG) 1-866-279-1761 ✔ Free Cancellation

Hampton Inn Kilgore

\*\*\*

Kilgore 💡 Map

7.72 mi from East Texas Regional (GGG)

1-866-264-5744 • Expedia Rate Booked in the last 5 hours

Excellent! 4.4/5

(61 reviews)

<del>\$125</del> \$93

avg/night

Candlewood Suites LONGVIEW

秦秦秦秦秦

Longview 9 Map 10.99 mi from East Texas Regional (GGG) 1-866-267-9053 • Expedia Rate

Booked in the last 8 hours

Very good! 4.2/5

(42 reviews)

avg/night

Fairfield Inn & Suites Exceptional! 4.7/5

(84 reviews)

Marshall by Marriott **亲亲亲亲** 

Marshall **Q** Map

22.16 mi from East Texas

Regional (GGG)

1-866-272-4856 • Expedia Rate

Booked in the last 2 hours

avg/night

Homewood Suites by

Hilton Longview

李鲁鲁鲁

Longview P Map

8.01 mi from East Texas

Regional (GGG)

1-866-276-6393

· Expedia Rate

✓ Free Cancellation

Excellent! 4.3/5

(111 reviews)

avg/night

✓ Book Now, Pay Later

**Americas Best Value** 

Inn 奏奏奏奏

2 left at \$50

✓ Book Now, Pay Later

avg/night

Longview 9 Map

2.3 out of 5 (29 reviews)

4.24 mi from East Texas

Regional (GGG)

1-866-279-5332 • Expedia Rate ✔ Free Cancellation

New to Expedia!

Majestic Inn 奏奏奏奏奏

2 left at \$54

Longview @ Map 8.02 mi from East Texas Regional

rate per night

(GGG)

# Best Western Inn Of Kilgore ★★★★

1 left at \$85

avg/night

Kilgore @ Map

3.4 out of 5 (5 reviews)

✓ Book Now, Pay Later

8.12 mi from East Texas Regional (GGG)

1-866-286-0843 · Expedia Rate ✔ Free Cancellation

# Hampton Inn Marshall

Excellent! 4.3/5

(57 reviews)

**亲\*\*\*** 

Marshall @ Map

22.45 mi from East Texas

Regional (GGG)

1-866-295-5798 • Expedia Rate

Booked in the last 21 hours

avg/night

#### Americas Best Value

Inn & Suites

亲亲亲亲

avg/night

✓ Book Now, Pay Later

Longview **Q** Map

2.5 out of 5 (15 reviews)

9.76 mi from East Texas Regional (GGG)

1-866-298-0996 • Expedia Rate ✔ Free Cancellation

Booked in the last 6 hours

# Holiday Inn Express & Wonderful! 4.5/5

Suites Marshall

※ ※ ※ ※ ※

Marshall **Q** Map

22.57 mi from East Texas

Regional (GGG)

1-866-313-6242 • Expedia Rate

Booked in the last 22 hours

(109 reviews)

avg/night

### Motel 6 Marshall

\*\*\*\*

Marshall 9 Map

22.25 mi from East Texas

Regional (GGG)

1-866-608-6760

Expedia Rate

✓ Free Cancellation Booked in the last 13 hours

#### Good! 3.5/5

(27 reviews)

avg/night

✓ Book Now, Pay Later

### Motel 6 Longview

\*\*\*\*

avg/night

Longview P Map

2.6 out of 5 (16 reviews)

✓ Book Now, Pay Later

3.92 mi from East Texas

Regional (GGG)

1-866-265-3604 · Expedia Rate ✔ Free Cancellation

Booked in the last 6 hours

# Econo Lodge Marshall

avg/night

\*\*\*\*

Marshall @ Map 3.3 out of 5 (76 reviews)

22.18 mi from East Texas Regional (GGG)

1-866-263-3710 • Expedia Rate ✔ Free Cancellation

## Super 8 Marshall Tx

奉奉奉奉奉

Marshall 9 Map

22.02 mi from East Texas

Regional (GGG)

1-866-599-6675

Expedia Rate

✓ Free Cancellation

Booked in the last 9 hours

#### Good! 3.5/5

(51 reviews)

5 left at \$55

avg/night

✓ Book Now, Pay Later

#### Holiday Inn Express Longview

Wonderful! 4.5/5

(44 reviews)

**安安安安** 

Longview 9 Map 11.01 mi from East Texas

Regional (GGG)

1-866-307-9227 • Expedia Rate

avg/night

# **Baymont Inn And Suites** Marshall, TX \* \* \* \* \*

<del>\$55</del> \$47

avg/night

Marshall **Q** Map

3.3 out of 5 (33 reviews)

22.36 mi from East Texas Regional (GGG)

1-866-280-5236 • Expedia Rate

Booked in the last 9 hours

# Best Western Executive

Good! 3.6/5

(13 reviews)

Marshall 👂 Map

<del>\$67</del> \$62

22.38 mi from East Texas Regional (GGG)

avg/night

1-866-327-6247 • Expedia Rate

Sale!

✓ Free Cancellation

#### Americas Best Value Inn \* \* \* \* \*

\$45

Marshall **9 Map** 

avg/night

2.2 out of 5 (24 reviews)

✓ Book Now, Pay Later

22.60 mi from East Texas

Regional (GGG)

1-866-310-3405 • Expedia Rate ✔ Free Cancellation

### Days Inn & Suites Marshall \* \* \* \*

\$54 \$46

avg/night

Marshall 9 Map

2.9 out of 5 (108 reviews)

22.28 mi from East Texas Regional (GGG)

1-866-299-0098 • Expedia Rate

#### Super 8 Longview/I-20

\$51

**1.6 out of 5** (8 reviews) **4.63** mi from Fast Texas Regi

Holiday Inn Express

4.63 mi from East Texas Regional (GGG)

1-866-307-2219

rate per night

Wonderful! 4.6/5

(37 reviews)

\$125 \$105

avg/night

\*\*\*

and Suites

Henderson

Henderson ♥ Map
15.36 mi from East Texas Regional (GGG)

1-888-553-7084 • Expedia Rate

Booked in the last 9 hours

#### New to Expedia!

Woodlawn Hills Motel

\*\*\*\*

Henderson 9 Map

5 left at \$60

rate per night

15.80 mi from East Texas Regional (GGG) 1-866-307-9141 ✔ Free Cancellation

Baymont Inn And Suites Henderson

\*\*\*\*

Henderson **♥ Map**16.57 mi from East Texas
Regional (GGG)
1-866-699-9805

Excellent! 4.3/5

(77 reviews)

3 left at

\$135 \$98

avg/night

Best Western Inn Of

Henderson

Expedia Rate

\*\*\*

Henderson **♀ Map** 17.90 mi from East Texas Regional (GGG)

1-866-590-3173
• Expedia Rate

✓ Free Cancellation

Good! 3.9/5

(37 reviews)

\$90

avg/night Sale!

✓ Book Now, Pay Later

Americas Best Value Inn-Winona/Tyler

\*\*\*

avg/night

✓ Book Now, Pay Later

2

Tyler 👂 Map

**1.8 out of 5** (12 reviews)

27.75 mi from East Texas Regional (GGG)

1-866-279-1761 • Expedia Rate ✔ Free Cancellation

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